

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Document # 296

Latino Officers Association, et.al

USCA NO. 07-5293

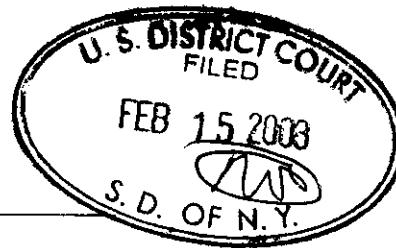
-v-

The City of New York, et.al.

SDNY NO. 99-cv-09568

JUDGE: Lewis A. Kaplan

DATE: 2/14/2008



INDEX TO THE RECORD ON APPEAL

PREPARED BY (NAME) Jennifer Cahn
Levy Ratner, P.C.
FIRM Levy Ratner, P.C.
ADDRESS 80 8th Avenue
New York, NY
PHONE NO. (212) 627-8100

DISTRICT COURT DOCKET ENTRIES -----

DOCUMENTS

DOC#

Clerk's Certificate

See Attached List of Numbered Documents

Only Circled Documents Included

BALANCE OF FILE ALREADY INDEX AND SENT OVER TO USCA FOR THE
CASE NUMBER 07-0941-cv

() Original Record

() Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A
for the Second Circuit on the 14th Day of Feb, 2008.

United States District Court for
the Southern District of New York

LATINO OFFICERS ASSOCIATION, et al

Date: 2-14-08

U.S.C.A. # 07-5293

-v-

U.S.D.C. # 99-cv-09568

THE CITY OF NEW YORK, et al

D.C. JUDGE: LEWIS KAPLAN

Clerk's Certificate

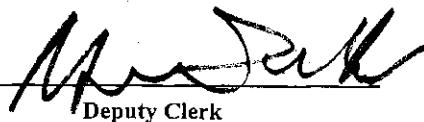
I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 295, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

Date Filed 3/30/2007 Document Description
273: ENDORSED LETTER

BALANCE OF FILE ALREADY INDEX AND SENT OVER TO USCA FOR THE
CASE NUMBER 07-0941-cv

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 14th Day of Feb. In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232nd year.

J. Michael McMahon, Clerk

By 
Deputy Clerk

APPEAL, CLOSED

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:99-cv-09568-LAK-KNF
Internal Use Only

Latino Officers, et al v. The City of New York, et al

Assigned to: Judge Lewis A. Kaplan

Referred to: Magistrate Judge Kevin Nathaniel Fox

Demand: \$0

Related Case: 1:05-cv-04811-LAK

Case in other court: U.S. Court of Appeal, 2nd Cir., 07-00941-cv

Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/09/1999

Date Terminated: 07/05/2007

Jury Demand: Plaintiff

Nature of Suit: 442 Civil Rights: Jobs

Jurisdiction: Federal Question

Date Filed	#	Docket Text
09/09/1999	1	COMPLAINT filed; Summons issued and Notice pursuant to 28 U.S.C. 636(c); FILING FEE \$150.00. RECEIPT # 353998. (em) (Entered: 09/10/1999)
09/09/1999		CASE REFERRED TO: Judge Denny Chin. (em) (Entered: 09/10/1999)
09/09/1999	2	Filed Plaintiffs' Statement of Relatedness pursuant to Local Rule 1.6. (em) (Entered: 09/10/1999)
09/09/1999	3	RULE 1.9 CERTIFICATE filed by Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu and Daniel Figueroa. (em) (Entered: 09/10/1999)
09/16/1999		Case referred as related to 1:99-cv-2497 and declined by Judge Denny Chin and returned to wheel for assignment. (em) (Entered: 09/20/1999)
09/16/1999	4	Notice of assignment to Judge Lewis A. Kaplan. Copy of notice and judge's rules mailed to Attorney(s) of record: Robert H. Spergel, William Goodman, Barbara J. Olshansky, and Richard A. Levy. (em) (Entered: 09/20/1999)
09/22/1999	5	ORDER RE SCHEDULING AND INITIAL PRETRIAL CONFERENCE; counsel for all parties are directed to confer regarding an agreed scheduling order. If counsel are able to agree on a schedule and the agreed schedule calls for filing of the pretrial order not more than 6 months from the date of this order, counsel shall sign and file within 45 days from the date hereof a consent order in the form annexed for consideration by the Court. If such a consent order is not filed within the time provided, a conference will be held on 11/8/99 at 11:00 a.m., in Courtroom 12D, 500 Pearl St. (signed by Judge Lewis A. Kaplan); Copies mailed. (sac) (Entered: 09/23/1999)
10/07/1999	6	AMENDED COMPLAINT by Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa; (Answer due 10/20/99 for The Police Relief, for Charles V. Campisi, for Richard Kubick, for Joseph Flynn, for Patrick Bradley, for George Grasso, for Patrick Kelleher, for Howard Safir, for Rudolph W. Giuliani, for N.Y.P.D., for The City of New York); amending [1-1] complaint; Summons issued (ls) (Entered: 10/12/1999)
10/08/1999	7	Affidavit of service as to The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief by mail on 10/7/99 . Answer due on 10/27/99 for The City of New York, for N.Y.P.D., for Rudolph W. Giuliani, for Howard Safir, for Patrick Kelleher, for George Grasso, for Patrick Bradley, for Joseph Flynn, for Richard Kubick, for Charles V. Campisi, for The Police Relief . (pl) (Entered: 10/19/1999)
10/08/1999	8	Affidavit of service as to The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief by personal service on 10/7/99 . (pl) (Entered: 10/19/1999)
10/08/1999	9	Affidavit of service as to The City of New York, Rudolph W. Giuliani by personal service on 10/7/99. Answer due on 10/27/99 for The City of New York, for Rudolph W. Giuliani (pl) (Entered: 10/19/1999)
11/01/1999	10	STIPULATION AND ORDER Extending Time; that Michael D. Hess, Corporation Counsel of the City of New York appears in this case on behalf of all of the named defts and acknowledges that all named defts were served properly ; reset answer to the complt. due for 11/30/99 for The Police Relief, for Charles V. Campisi, for Richard Kubick, for Joseph Flynn, for Patrick Bradley, for George Grasso, for Patrick Kelleher, for Howard Safir, for Rudolph W. Giuliani, for N.Y.P.D., for The City of New York ; (signed by Judge Lewis A. Kaplan) (ls) (Entered: 11/03/1999)
11/08/1999	11	Memo-Endorsement on letter addressed to Judge Kaplan from Julie E. O'Neill, dated 11/4/99; denying the parties request for a three week adjournment of the pretrial conference scheduled for 11/8/99 ; (signed by Judge Lewis A. Kaplan); copies mailed (ls) Modified on 11/10/1999 (Entered: 11/08/1999)

11/08/1999		Pretrial Conference held before Judge Lewis A. Kaplan. (emil) (Entered: 12/02/1999)
11/09/1999	12	CONSENT SCHEDULING ORDER: no add'l. parties may be joined after 1/8/00, assuming the class is certified; no amendments to the pleadings will be permitted after 1/8/00 assuming the class is certified; all discovery shall be completed on or before 8/31/00; a joint pretrial order in the form prescribed in Judge Kaplan's individual rules shall be filed on or before 12/31/00; (signed by Judge Lewis A. Kaplan); copies mailed (ls) (Entered: 11/09/1999)
12/02/1999	13	STIPULATION AND ORDER: pltffs shall serve a Second Amended Complaint on defts on 12/3/99 by hand delivering a copy of the Second Amended Complaint to the Office of the Corporation Counsel, attn: Julie E. O'Neill ; defts' shall answer or otherwise respond to the Second Amended Complaint by 12/23/99. (signed by Judge Lewis A. Kaplan) (sac) (Entered: 12/03/1999)
12/03/1999	14	SECOND AMENDED COMPLAINT by Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa, Hector Ariza, Manuel Gomez, Christopher Castro, Haydee Cartagena, Manuel Delgado, Parnell Peterson, Hiram Monserrate, Fernando Sanchez (Answer due 12/23/99 for The Police Relief, for Charles V. Campisi, for Richard Kubick, for Joseph Flynn, for Patrick Bradley, for George Grasso, for Patrick Kelleher, for Howard Safir, for Rudolph W. Giuliani, for N.Y.P.D., for The City of New York) amending [6-1] amended complaint; Summons issued (ls) (Entered: 12/06/1999)
01/05/2000		Pretrial Conference held before Judge Lewis A. Kaplan. (sac) (Entered: 02/01/2000)
03/01/2000	15	NOTICE OF MOTION by Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa, Hector Ariza, Manuel Gomez, Christopher Castro, Haydee Cartagena, Manuel Delgado, Parnell Peterson, Hiram Monserrate, Fernando Sanchez for leave to withdraw its appearance in this case ; Return date not indicated. Attached is affidavit of William Goodman. (djc) Modified on 03/20/2000 (Entered: 03/02/2000)
03/07/2000	16	Transcript of record of proceedings before Judge Lewis A. Kaplan for the date(s) of 1/5/00. (sac) (Entered: 03/07/2000)
03/20/2000	17	ORDER; granting [15-1] motion for leave for William H. Goodman and Barbara J. Olshansky to withdraw their appearance in this case. (signed by Judge Lewis A. Kaplan); Copies mailed. (pl) (Entered: 03/22/2000)
03/24/2000	18	STIPULATION AND PROTECITVE ORDER; regarding procedures that will govern the handling of confidential information; notwithstanding anything to the contrary herein, any papers filed under seal in this action may be made part of the public record on or after 3/24/05 unless the Court otherwise orders ; (signed by Judge Lewis A. Kaplan) (ls) (Entered: 03/27/2000)
05/10/2000		Letter filed addressed to Judge Cedarbaum from Julie O'Neill, dated 05/09/00, re: defendants' motion to dismiss the complaint; also notifies the court that defendants are not opposing plaintiff's motion to amend the complaint and consequently, are withdrawing the motion to dismiss. (original docnt dktd in case no. 99 cv 4960, docnt #7) (djc) (Entered: 05/11/2000)
06/22/2000		NOTICE OF MOTION by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief; for an order purs. to Local Rule 15(a) of the Rules for the Division of Business Among District Judges transferring either Guardians Assoc. of the Police Dep't of N.Y., Inc. v. City of New York, 99 Civ. 4960 (MGC), or Latino Officers Assoc. Cityof New York, Inc. et al. v. City of N.Y., No. 99 Civ. 9568 (LAK) ; and; for an order purs. to Rule 42(a) of the F.R.C.P. consolidating the actins shown above for pre-trial and trial purposes ; Return date 6/14/00; Declaration of Any F. Melican attached; orig. doc. fld. in case no. 99 Civ. 4960 (LAK) doc. #14 (lf) Modified on 06/23/2000 (Entered: 06/23/2000)
06/22/2000		MEMORANDUM OF LAW by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief in support of [0-1] motion for an order purs. to Local Rule 15(a) of the Rules for the Division of Business Among District Judges transferring either Guardians Assoc. of the Police Dep't of N.Y., Inc. v. City of New York, 99 Civ. 4960 (MGC), or Latino Officers Assoc. City of New York, Inc. et al. v. City of N.Y., No. 99 Civ. 9568 (LAK); [0-2] motion for an order purs. to Rule 42(a) of the F.R.C.P. consolidating the actins shown above for pre-trial and trial purposes; orig. doc. fld. in case no. 99 Civ. 4960 (MGC) doc. #15 (lf) (Entered: 06/23/2000)
07/20/2000		Pretrial Conference held before Judge Lewis A. Kaplan. (sac) (Entered: 08/02/2000)
07/26/2000	19	NOTICE of attorney appearance for Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa, Hector Ariza, Manuel Gomez, Christopher Castro, Haydee Cartagena, Manuel Delgado, Parnell Peterson, Hiram Monserrate, Fernando Sanchez by Diane M. Paolicelli. (cd) (Entered: 07/27/2000)
07/26/2000	20	ORDER, denying [0-1] motion for an order purs. to Local Rule 15(a) of the Rules for the Division of Business Among District Judges transferring either Guardians Assoc. of the Police Dep't of N.Y., Inc. v. City of New York, 99 Civ. 4960 (MGC), or Latino Officers Assoc. City of New York, Inc. et al. v. City of N.Y., No. 99 Civ. 9568 (LAK); denying [0-2] motion for an order purs. to Rule 42(a) of the F.R.C.P. consolidating the actions shown above for pre-trial and trial purposes. (signed by Judge Lewis A. Kaplan); Copies mailed. (sn) Modified on 07/31/2000

		(Entered: 07/28/2000)
09/06/2000		Pretrial Conference held before Judge Lewis A. Kaplan. (sn) (Entered: 10/06/2000)
09/07/2000	21	Memo-Endorsement on letter addressed to Judge Kaplan from Diane Paolicelli, dated 8/17/00. The discovery deadline is extended to 2/28/01. The class motion shall be filed by 11/15/00. The pretrial order and any motions for summary judgment shall be filed by 4/30/01. The Court reserves judgment as to bifurcation or severance pending receipt of the class motion. (signed by Judge Lewis A. Kaplan); Copies mailed. (kw) (Entered: 09/08/2000)
11/14/2000	22	STIPULATION and ORDER; pltffs shall have until 12/15/00, to file their motion for class certification. Dfts' response shall be due on 1/26/01. (signed by Judge Lewis A. Kaplan) (sn) (Entered: 11/15/2000)
11/14/2000		Deadline(s) updated: set scheduling order deadlines: Response to motion deadline 1/26/01. (sn) (Entered: 11/15/2000)
12/04/2000		Pretrial Conference held before Judge Lewis A. Kaplan. (sn) (Entered: 01/03/2001)
12/15/2000	23	NOTICE OF MOTION by pltffs; for an order to certifying a class of pltffs purs. to F.R.C.P. 23(a), 23(b)(1)(A), 23(b)(2) and 23(b)(3); Return date 12/11/00; Affdvt. of Alani Golanski in support attached (lf) (Entered: 12/18/2000)
12/15/2000	24	MEMORANDUM OF LAW by pltffs' in support of [23-1] motion for an order to certifying a class of pltffs purs. F.R.C.P. 23(a), 23(b)(1)(A), 23(b)(2) and 23(b)(3). (lf) (Entered: 12/18/2000)
01/25/2001		Pretrial Conference held before Judge Lewis A. Kaplan. (sac) (Entered: 02/09/2001)
01/25/2001		Pretrial Conference held before Judge Lewis A. Kaplan. (jp) (Entered: 02/16/2001)
01/31/2001	25	Memo-Endorsement on letter addressed to Judge Kaplan from Julie O'Neill, Asst Corp Counsel, dated 1/24/01; deft's response to motion reset to 2/21/01 for [23-1] motion to certifying a class of pltffs purs. to F.R.C.P. 23(a), 23(b)(1)(A), 23(b)(2) and 23(b)(3); reset discovery due for 3/25/01; the parties request appointment of a Magistrate Judge to assist them in discovery; no magistrate (signed by Judge Lewis A. Kaplan); Copies mailed. (lam) (Entered: 02/05/2001)
02/06/2001	26	Transcript of record of proceedings before Judge Lewis A. Kaplan for the date(s) of 12/4/00. (sac) (Entered: 02/06/2001)
02/15/2001	27	Memo-Endorsement on letter addressed to Judge Kaplan from Amy F. Melican, dated 2/14/01. Granting defendants' request for permission to file a memorandum of law in opposition to plaintiffs' motion for class certification that does not exceed 50 pages. (signed by Judge Lewis A. Kaplan); Copies mailed. (kw) (Entered: 02/20/2001)
02/22/2001	28	MEMORANDUM OF LAW by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief in opposition to [23-1] motion for an order to certifying a class of pltffs purs. to F.R.C.P. 23(a), 23(b)(1)(A), 23(b)(2) and 23(b)(3). (lf) (Entered: 02/23/2001)
02/22/2001	29	DECLARATIONS of Anderson, Lubin, Kennedy, Melican AND EXHIBITS by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police in support Re: [23-1] motion for an order to certifying a class of pltffs purs. to F.R.C.P. 23(a), 23(b)(1)(A), 23(b)(2) and 23(b)(3). (lf) (Entered: 02/23/2001)
03/06/2001		Pretrial Conference held before Judge Lewis A. Kaplan. (lf) (Entered: 04/03/2001)
03/08/2001		Pretrial Conference held before Judge Lewis A. Kaplan. (lf) (Entered: 04/03/2001)
03/09/2001	30	Memo-Endorsement on letter addressed to Judge Kaplan from Alani Golanski, dated 3/6/01, granting pltffs' request for permission to serve a memorandum of law that exceeds the Court's page limit by 10 pages (signed by Judge Lewis A. Kaplan); Copies mailed. (cd) (Entered: 03/12/2001)
03/26/2001		Pretrial Conference held before Judge Lewis A. Kaplan. Next PTC 5/21/01 at 10:00 a.m. (lf) (Entered: 03/28/2001)
03/27/2001	31	Order, that parties proceed to mediation with Susan T. Mackenzie, Esq., as mediator on the terms of agreement reached among the parties on their own volition and without compulsion by the Court. (signed by Judge Lewis A. Kaplan). (Copy sent document to the Civil Case Management/Mediation). (kw) (Entered: 03/28/2001)
03/27/2001	32	ORDER withdrawing on consent w/o prejudice to renewal [23-1] motion for an order certifying a class of pltffs purs. to F.R.C.P. 23(a), 23(b)(1)(A), 23(b)(2) and 23(b)(3); (signed by Judge Lewis A. Kaplan Copies mailed. (lf) Modified on 03/29/2001 (Entered: 03/28/2001)
03/28/2001	33	REPLY MEMORANDUM OF LAW by plaintiffs in further support of: [23-1] motion for an order to certifying a class of pltffs purs. F.R.C.P. 23(a), 23(b)(1)(A), 23(b)(2) and 23(b)(3). (kjc) Modified on 03/29/2001 (Entered: 03/29/2001)
05/21/2001		Conference held before Judge Kaplan. (jp) (Entered: 06/05/2001)
07/09/2001		Pretrial Conference held before Judge Lewis A. Kaplan. (djc) (Entered: 08/03/2001)
08/20/2001		Pretrial Conference held before Judge Lewis A. Kaplan. (bai) (Entered: 09/27/2001)
11/05/2001		Pretrial Conference held before Judge Lewis A. Kaplan. (kjc) (Entered: 12/03/2001)
11/13/2001		ORDER, that Plaintiff, Haydee Cartagena shall discontinue her claims in Latino Officers, et al., v. City of New York, et al., 99 Civ. 9568, and add those claims to the amended complaint to be filed in 99 Civ. 11987. (signed by Judge Denny Chin); Copies mailed. (Orig. entry made in case no. 99 civ. 11987, as doc. #9) (ae) (Entered: 11/28/2001)

12/03/2001		Pretrial Conference held before Judge Lewis A. Kaplan . (yv) (Entered: 01/10/2002)
12/05/2001	34	NOTICE OF MOTION by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief; for an Order pursuant to Rule 56 of the FRCP for summary judgment dismissing the claims in this action of plaintiffs Charles Castro, Fernando Sanchez and Reuben Malave for damages and equitable relief based on their terminations from the New York City Police Department . No return date set. Rule 56.1 Statement, Declaration of Stuart I. Parker attached. Exhibits Volume 1 to 3 attached. (kkc) Modified on 12/06/2001 (Entered: 12/06/2001)
12/05/2001	35	MEMORANDUM OF LAW by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief in support of [34-1] motion for an Order pursuant to Rule 56 of the FRCP for summary judgment dismissing the claims in this action of plaintiffs Charles Castro, Fernando Sanchez and Reuben Malave for damages and equitable relief based on their terminations from the New York City Police Department . (kkc) (Entered: 12/06/2001)
12/28/2001	36	MEMORANDUM OF LAW by Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa in opposition to [34-1] motion for an Order pursuant to Rule 56 of the FRCP for summary judgment dismissing the claims in this action of plaintiffs Charles Castro, Fernando Sanchez and Reuben Malave for damages and equitable relief based on their terminations from the New York City Police Department . (db) (Entered: 01/02/2002)
12/28/2001	37	AFFIDAVIT of Diane Paolicelli by Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa in opposition to [34-1] motion for an Order pursuant to Rule 56 of the FRCP for summary judgment dismissing the claims in this action of plaintiffs Charles Castro, Fernando Sanchez and Reuben Malave for damages and equitable relief based on their terminations from the New York City Police Department . (db) (Entered: 01/02/2002)
12/28/2001	38	COUNTER STATEMENT TO RULE 56.1 filed by Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa (db) (Entered: 01/02/2002)
01/08/2002	39	Memo-Endorsement on letter addressed to Judge Kaplan from Richard A. Levy, dated 12/26/01; counsel to parties' request to hold motion (for a protective order) in abeyance pending the completion of the described 30(b)(6) deposition is denied without prejudice to renewal ; (signed by Judge Lewis A. Kaplan); Copies mailed. (djc) (Entered: 01/09/2002)
01/14/2002	40	REPLY MEMORANDUM by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief re: [36-1] opposition memorandum (yv) (Entered: 01/15/2002)
01/14/2002	41	DECLARATION of Stuart I. Parker by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief in support Re: [34-1] motion for an Order pursuant to Rule 56 of the FRCP for summary judgment dismissing the claims in this action of plaintiffs Charles Castro, Fernando Sanchez and Reuben Malave for damages and equitable relief based on their terminations from the New York City Police Department . (yv) (Entered: 01/15/2002)
02/05/2002	42	AMENDED SCHEDULING ORDER: Completion of all discovery by 11/30/02. Service of summary judgment motions by 2/1/03. Filing of pretrial order, proposed jury instructions and requested voir dire questions; case ready for trial, on 2/1/03. Following trial materials to be filed at least 10 days before trial: trial brief stating legal and factual issues and authorities relied upon and discussing any anticipated substantive or procedural problems; and motions in limine. (signed by Judge Lewis A. Kaplan); Copies mailed. (sn) Modified on 02/07/2002 (Entered: 02/07/2002)
02/13/2002	43	STIPULATION and ORDER, regarding procedures that will govern the handling "Confidential Attorney-Only Materials" . (signed by Judge Lewis A. Kaplan) (kw) (Entered: 02/15/2002)
03/04/2002		Pretrial Conference held before Judge Lewis A. Kaplan . (bai) (Entered: 03/06/2002)
04/04/2002	44	ORDER, regarding the aforementioned issues, the parties are directed to brief this issue, and any others that are fairly related to it, and to file such briefs no later than 4/20/02 . (signed by Judge Lewis A. Kaplan); Copies mailed. (tp) (Entered: 04/05/2002)
04/19/2002	45	MEMORANDUM OF LAW by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief, Hector Ariza, Manuel Gomez, Christopher Castro, Manuel Delgado, Parnell Peterson, Hiram Monserrate, Fernando Sanchez in response to Court's 4/4/02 Order. (db) (Entered: 04/23/2002)
04/19/2002	46	SUPPLEMENTAL MEMORANDUM OF LAW by Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa, Hector Ariza, Manuel Gomez, Christopher Castro, Manuel Delgado, Parnell Peterson, Hiram Monserrate, Fernando Sanchez in opposition to [34-1] motion for an Order pursuant to Rule 56 of the FRCP for summary judgment dismissing the claims in this action of plaintiffs Charles Castro, Fernando Sanchez and Reuben Malave for damages and equitable relief based on their terminations from the New York City Police Department . (db) (Entered: 04/24/2002)

06/26/2002		PRETRIAL CONFERENCE held on 6/26/02 before Judge Lewis A. Kaplan. (ae) (Entered: 07/10/2002)
07/09/2002	47	SEALED DOCUMENT placed in vault. (js) (Entered: 07/10/2002)
08/05/2002	48	Transcript of record of proceedings before Judge Lewis A. Kaplan for the date(s) of 6/26/02 at 10:00 a.m. (ph) (Entered: 08/06/2002)
08/06/2002	49	MEMORANDUM OPINION #87244, granting in part, denying in part [23-1] motion for an order to certifying a class of pltffs purs. to F.R.C.P. 23(a), 23(b)(1)(A), 23(b)(2) and 23(b)(3). The Court bifurcates pltffs' claims and certifies the liability stage of the claims, as discussed (within) for class treatment under Rule 23(b)(2) (signed by Judge Lewis A. Kaplan); Copies mailed. (cd) (Entered: 08/08/2002)
08/20/2002	50	Memo-Endorsement on letter addressed to Judge Kaplan from Diane Paolicelli, dated 8/8/02. Re: plaintiffs requests that Your Honor appoint a magistrate to oversee a non-binding mediation of the legal fee determination for the within stated individual plaintiffs; referred to MJ assigned . (signed by Lewis A. Kaplan); Copies mailed. (pl) (Entered: 08/23/2002)
08/23/2002	51	Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Discovery Motion or other Motion which does not require a report and recommendation and see 8/8/02 letter and endorsement. Referred to Magistrate Judge Kevin Nathaniel Fox . (signed by Judge Lewis A. Kaplan) (yv) (Entered: 08/26/2002)
09/18/2002		Status Conference held before Magistrate Judge Kevin Nathaniel Fox. (kw) (Entered: 10/03/2002)
09/25/2002	52	ORDER, that on or before 10/9/02, consistent with the discussion held via telephone conference held on 9/18/02, the parties shall submit ex parte confidential writings to the Court to aid it in assisting the parties at a settlement conference concerning attorneys' fees , and a settlement conference shall be held on 10/18/02 at 10:30 a.m. in courtroom 519, 40 Centre Street . (signed by Magistrate Judge Kevin Nathaniel Fox); (dle) Modified on 09/27/2002 (Entered: 09/26/2002)
10/18/2002		Settlement Conference held before Magistrate Judge Kevin Nathaniel Fox with respect to attys. fees. (kw) (Entered: 11/05/2002)
10/31/2002	53	Memo-Endorsement on letter addressed to Magistrate Fox from Pamela Jeffrey, dated 10/29/02. counsel for plaintiffs request that the conference be adjourned. Application granted. The conference is adjourned to 11/26/02 at 11:30 a.m. (signed by Magistrate Judge Kevin Nathaniel Fox); (yv) (Entered: 11/01/2002)
11/25/2002		PRETRIAL CONFERENCE held on 11/25/02 before Judge Lewis A. Kaplan. (sb) (Entered: 12/02/2002)
11/26/2002	54	Memo-Endorsement on letter addressed to Magistrate Judge Fox from Pamela Jeffrey, dated 11/25/02. counsel for plaintiffs request that the conference scheduled for 11/26/02 at 2:30 p.m. be adjourned without date. Application granted . (signed by Magistrate Judge Kevin Nathaniel Fox); (yv) (Entered: 11/27/2002)
11/26/2002	55	Memorandum to Docket Clerk: Pretrial conference held on 11/25/02. Court Reporter Christine Arendz Deich. All discovery to be concluded by 1/10/03. Joint Pretrial Order due 2/11/03. (sb) (Entered: 12/02/2002)
12/04/2002	59	Letter filed by Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa, Hector Ariza, Manuel Gomez, Christopher Castro, Manuel Delgado, Parnell Peterson, Hiram Monserrate, Fernando Sanchez addressed to Judge Kaplan from Diane Paolicelli, dated 12/3/02; re: proposed Consent Order regarding production of documents. (pl) (Entered: 12/17/2002)
12/05/2002	56	CONSENT ORDER, defendant shall produce the document set forth in this document to plaintiffs or a statement under oath that after a diligent search no responsive documents could be found, no later than 12/17/02 . (signed by Judge Lewis A. Kaplan); (kw) (Entered: 12/09/2002)
12/13/2002	57	Letter filed by plaintiffs addressed to Judge Kaplan from Richard A. Levy, dated 12/10/02, re: responding to defendants' letter to the Court dated 12/5/02. (kw) Modified on 12/17/2002 (Entered: 12/17/2002)
12/13/2002	58	Letter filed by The City of New York addressed to Judge Kaplan from Stuart I. Parkeer, dated 12/5/02, re: in response to Ms. Paolicelli's 12/3/02 letter and to request that the matters raised in her letter to be addressed before the Court at a conference. (kw) (Entered: 12/17/2002)
12/16/2002	60	ORDER; regarding the issues raised by the parties regarding responses to discovery request; the Court rules as follows: the numbered paragraphs of this order corresponding to the numbers paragraphs of plaintiffs' 12/3/02 letter; in reaching this disposition, the Court has considered the various points made in the parties' letters, the extent of the discovery previously conducted, and the likely burden and expense of the proposed discovery as compared with its likely benefit, taking into account the needs of the case, the amount in controversy, the parties' resources, the importance of the issues involved, and the importance of the proposed discovery in resolving those issues. To the extent, if any, that plaintiffs have sought an order compelling production beyond that granted above, the request is denied . (signed by Judge Lewis A. Kaplan); (pl) (Entered: 12/17/2002)
12/23/2002	61	Memo-Endorsement on letter addressed to Hon. Lewis A. Kaplan from Richard A. Levy, dated 12/20/02. counsel for plaintiffs request an extension of time to complete discovery, including expert reports, until the end of January 2003. In the spirit of the season, the application is granted. The season will be over, and the spirit has been exhausted. Absolutely no more! (signed by Judge Lewis A. Kaplan); (yv) (Entered: 12/26/2002)

12/31/2002	62	Transcript of record of proceedings before Judge Lewis A. Kaplan for the date(s) of 11/25/02. (dt) (Entered: 01/02/2003)
01/14/2003		Memo-Endorsement on letter addressed to Judge Kaplan from Sara Mason, dated 1/10/03. counsel for defendants request that the Guardians Association be allowed to intervene in the action. Denied without prejudice to renewal by motion in the absence of a stipulation among the parties . (signed by Judge Lewis A. Kaplan); Original entry in 99cv4960 document number 18. (yv) (Entered: 01/15/2003)
02/06/2003	63	Memo-Endorsement on letter addressed to Judge Kaplan from Richard A. Levy, dated 1/28/03. Counsel requests a direction from the court to the City that it produce Dr. James Fyfe for up to an additional 3 hours of deposition. Upon consideration of defendants' response, dated 1/29/03, application denied. (signed by Judge Lewis A. Kaplan) (sb) (Entered: 02/10/2003)
02/06/2003	269	LETTER addressed to Judge Lewis A. Kaplan from Stuart I. Parker dated 1/29/03 re: Defendants write opposing plaintiffs' counsel's 1/28 letter to reopen the deposition of James Fyfe. Document filed by The City of New York, The New York City Police Department, Michael R. Bloomberg, Raymond W. Kelly.(ae) (Entered: 03/15/2007)
02/07/2003	64	Letter filed addressed to Judge Kaplan from Stuart I. Parker, dated 02/06/03; re: opposing plaintiff's counsel's December 24, 2002 letter application to compel answers to numerous interrogatories. (djc) (Entered: 02/11/2003)
02/10/2003	65	ORDER, set telephone conference for 5:00 p.m. on 2/18/03 . (signed by Magistrate Judge Kevin Nathaniel Fox); Copies faxed and mailed by chambers. (kw) (Entered: 02/12/2003)
02/10/2003	66	Memo-Endorsement on letter addressed to Judge Kaplan from Richard A. Levy, dated 12/24/02. Re: Counsel for plaintiff want to move to compel responses to a vary limited number of plaintiffs' interrogatories. Upon consideration of defendants' response, dated 2/6/03, this application is denied. This request does not comply with my 12/12/02 order and is excessive . (signed by Judge Lewis A. Kaplan). (tp) (Entered: 02/13/2003)
02/18/2003		Status Conference held before Magistrate Judge Kevin Nathaniel Fox. (kw) (Entered: 03/14/2003)
02/28/2003	70	Letter filed by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief addressed to Judge Kaplan from William S.J. Fraenkel, dated 2/27/03, re: In response to Mr. Levy's 2/26/03. (sb) (Entered: 03/06/2003)
02/28/2003	71	Letter filed by Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa, Hector Ariza, Manuel Gomez, Christopher Castro, Haydee Cartagena, Manuel Delgado, Parnell Peterson, Hiram Monserrate, Fernando Sanchez addressed to Judge Kaplan from Richard A. Levy, dated 2/26/03, re: Response to defendants' letter from Phyllis Calistro. (sb) (Entered: 03/06/2003)
03/04/2003	72	PROPOSED VOIR DIRE QUESTIONS by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief . (djc) (Entered: 03/07/2003)
03/04/2003	73	Defendants' Proposed Jury instructions (djc) (Entered: 03/07/2003)
03/04/2003	74	NOTICE OF MOTION by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief for an order limiting the number of non-statistical evidence witnesses plaintiffs' may offer in the pattern and practice liability phase of this litigation ; Return Date not indicated; (djc) (Entered: 03/07/2003)
03/04/2003	75	MEMORANDUM OF LAW by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief in support of [74-1] motion for an order limiting the number of non-statistical evidence witnesses plaintiffs' may offer in the pattern and practice liability phase of this litigation. (djc) (Entered: 03/07/2003)
03/04/2003	104	(UNSigned) JOINT PRETRIAL ORDER. (ae) (Entered: 03/21/2003)
03/04/2003	105	(UNSigned) JOINT PRETRIAL ORDER. (ae) (Entered: 03/21/2003)
03/05/2003	67	Memo-Endorsement on letter addressed to Judge Kaplan from Richard A. Levy, dated 2/26/03. Counsel for plaintiff requests that the Court direct that the parties exchange their expert reports no later than 3/4/03, based on the last database which was provided to the Plaintiffs and the Defendants by the NYPD, the defendants are precluded from raising any claims or objections with respect to the validity of the underlying data as last provided by the NYPD. In addition, the defendants shall immediately provide the disciplinary case numbers - or other means of matching officers and race -- as directed in the 12/5/02 Consent Order. Application denied. (signed by Judge Lewis A. Kaplan) (sb) (Entered: 03/05/2003)
03/05/2003	68	Memo-Endorsement on letter addressed to Judge Kaplan from Richard A. Levy, dated 2/27/03. Re: counsel for pltff requests that the Court direct the parties to exchange their reports as prepared and to direct the City to identify in what way, if any, the data and pltffs' findings are affected by the latest claimed problem with the database. Application granted . (by Judge Lewis A. Kaplan) (db) (Entered: 03/05/2003)
03/05/2003	69	Memo-Endorsement on letter addressed to Judge Kaplan from Phyllis Calistro, dated 2/26/03; reset defendants summary judgment motion deadline for 3/11/03 ; denying defendants request that the Court order the plaintiffs to submit a valid and proper draft of the Pretrial Order to us by the close of business tomorrow, 2/27/03 . (signed by

		Judge Lewis A. Kaplan); (pl) (Entered: 03/06/2003)
03/07/2003	76	PLTFFS' PROPOSED VOIR DIRE QUESTIONS by Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa, Hector Ariza, Manuel Gomez, Christopher Castro, Manuel Delgado, Parnell Peterson, Hiram Monserrate, Fernando Sanchez . (db) (Entered: 03/11/2003)
03/07/2003	77	PLTFFS' REQUEST TO CHARGE by Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa, Hector Ariza, Manuel Gomez, Christopher Castro, Manuel Delgado, Parnell Peterson, Hiram Monserrate, Fernando Sanchez . (db) (Entered: 03/11/2003)
03/11/2003	78	ORDER, that if a joint pretrial order, complying in all respects with the individual practices of the undersigned, is not filed on or before 3/17/03, the Court may impose sanctions, which may be case dispositive, on whoever is responsible for the failure. It is Ordered that counsel to whom this Order is sent is responsible for faxing a copy to all counsel and retaining verification of such in the case file. Do not fax such verification to Chambers . (signed by Judge Lewis A. Kaplan); Copies mailed by Chambers. (tp) (Entered: 03/12/2003)
03/11/2003	79	NOTICE OF MOTION by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief for an order purs. to Rule 56 of the FRCP granting partial summary judgment as to certain claims of plaintiff Parnell Peterson . No Return Date. Rule 56.1 Statement and Declaration of Phyllis Calistro attached. (sb) (Entered: 03/12/2003)
03/11/2003	80	MEMORANDUM OF LAW by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief in support of [79-1] motion for an order purs. to Rule 56 of the FRCP granting partial summary judgment as to certain claims of plaintiff Parnell Peterson. (sb) (Entered: 03/12/2003)
03/11/2003	81	NOTICE OF MOTION by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief for an order purs. to Rule 56 of the FRCP granting partial summary judgment as to certain claims of plaintiff Clifford Muniz . No Return Date. Rule 56.1 Statement and Declaration of Phyllis Calistro attached. (sb) (Entered: 03/12/2003)
03/11/2003	82	MEMORANDUM OF LAW by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief in support of [81-1] motion for an order purs. to Rule 56 of the FRCP granting partial summary judgment as to certain claims of plaintiff Clifford Muniz. (sb) (Entered: 03/12/2003)
03/11/2003	83	NOTICE OF MOTION by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief for an Order pursuant to Rule 56(b) of the FRCP, for summary judgment, dismissing with prejudice the claims of plaintiff Jose Mercedes . Return Date not indicated. (gf) (Entered: 03/12/2003)
03/11/2003	84	DECLARATION OF SERVICE of notice of motion, statement of undisputed facts, declaration of Lauren M. Pytel, memorandum of law and documents further set forth in this declaration as to Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa, Hector Ariza, Manuel Gomez, Christopher Castro, Haydee Cartagena, Manuel Delgado, Parnell Peterson, Hiram Monserrate, Fernando Sanchez by UPS on 3/11/03. Received in night deposit box on 3/11/03 at 8:03 p.m. (yv) (Entered: 03/13/2003)
03/11/2003	85	MEMORANDUM OF LAW by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief in support of [83-1] motion for an Order pursuant to Rule 56(b) of the FRCP, for summary judgment, dismissing with prejudice the claims of plaintiff Jose Mercedes. (Received in the night deposit box on 3/11/03 at 8:04pm.). (gf) (Entered: 03/13/2003)
03/11/2003	86	DECLARATION of William S.J. Fraenkel by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief in support Re: [83-1] motion for an Order pursuant to Rule 56(b) of the FRCP, for summary judgment, dismissing with prejudice the claims of plaintiff Jose Mercedes. (Received in the night deposit box on 3/11/03 at 8:04 pm.) (gf) (Entered: 03/13/2003)
03/11/2003	87	RULE 56.1 STATEMENT filed by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief. (Received in the night deposit box on 3/11/03 at 8:04 pm.). (gf) (Entered: 03/13/2003)
03/11/2003	88	NOTICE OF MOTION by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief for an Order pursuant to Rule 56 of the FRCP for summary judgment dismissing all claims related to Hector Ariza in this action . Return Date not indicated. (Received in the night deposit box on 3/11/03 at 8:04pm.). (gf) (Entered: 03/13/2003)
03/11/2003	89	MEMORANDUM OF LAW by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief in support of [0-0] pretrial conference. (Received in the night deposit box on 3/11/03 at 8:04pm). (gf) (Entered: 03/13/2003)

03/11/2003	90	RULE 56.1 STATEMENT filed by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief. (Received in the night deposit box on 3/11/03 at 8:04pm.). (gf) (Entered: 03/13/2003)
03/11/2003	91	DECLARATION of Sara Mason by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief Re: [88-1] motion for an Order pursuant to Rule 56 of the FRCP for summary judgment dismissing all claims related to Hector Ariza in this action. (Received in the night deposit box on 3/11/03 at 8:05 pm). (gf) (Entered: 03/13/2003)
03/11/2003	92	NOTICE OF MOTION by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief for an Order pursuant to Rule 56 of the FRCP for summary judgment as to all claims against Anthony Miranda, The Latino Officers Association, Inc., Hiram Monserrate, Adam Alvarez and Wilfred Maldonado . Return Date not indicated. (Received in the night deposit box on 3/11/03 at 8:05 pm). (gf) Modified on 06/10/2003 (Entered: 03/13/2003)
03/11/2003	93	MEMORANDUM OF LAW by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief in support of [92-1] motion for an Order pursuant to Rule 56 of the FRCP for summary. (Received in the night deposit box on 3/11/03 at 8:05pm.). judgment as to all claims against Anthony Miranda, The Latino Officers Association, Inc., Hiram Monserrate, Adam Alvarez and Wilfred Maldonado . (gf) (Entered: 03/13/2003)
03/11/2003	94	DECLARATION of Lauren M. Pytel by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief Re: [92-1] motion for an Order pursuant to Rule 56 of the FRCP for summary judgment as to all claims against Anthony Miranda, The Latino Officers Association, Inc., Hiram Monserrate, Adam Alvarez and Wilfred Maldonado. (Received in the night deposit on 3/11/03 at 8:05pm.). (gf) (Entered: 03/13/2003)
03/11/2003	95	RULE 56.1 STATEMENT filed by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief. (Received in the night deposit box on 3/11/03 at 8:05pm). (gf) (Entered: 03/13/2003)
03/11/2003	96	NOTICE OF MOTION by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief for an Order pursuant to Rule 56 of the FRCP for summary judgment dismissing the plaintiffs claims . Return Date not indicated. (Received in the night deposit box on 3/11/03 at 8:06pm.) (gf) (Entered: 03/13/2003)
03/11/2003	97	MEMORANDUM OF LAW by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief in support of [96-1] motion for an Order pursuant to Rule 56 of the FRCP for summary judgment dismissing the plaintiffs claims. (Received in the night deposit on 3/11/03 at 8:06pm). (gf) (Entered: 03/13/2003)
03/11/2003	98	RULE 56.1 STATEMENT filed by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief. (Received in the night deposit box on 3/11/03 at 8:05pm). (gf) (Entered: 03/13/2003)
03/11/2003	99	DECLARATION of Neldra M. Zeigler by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief Re: [96-1] motion for an Order pursuant to Rule 56 of the FRCP for summary judgment dismissing the plaintiffs claims. (Received in the night deposit box on 3/11/03 at 8:05pm) (gf) (Entered: 03/13/2003)
03/11/2003	100	DECLARATION of Ali I. Saad by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief Re: [96-1] motion for an Order pursuant to Rule 56 of the FRCP for summary judgment dismissing the plaintiffs claims. (Received in the night deposit box on 3/11/03 at 8:06pm). (gf) (Entered: 03/13/2003)
03/11/2003	101	DECLARATION of Joseph Graham by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief Re: [96-1] motion for an Order pursuant to Rule 56 of the FRCP for summary judgment dismissing the plaintiffs claims. (Received in the night deposit box on 3/11/03 at 8:06pm). (gf) (Entered: 03/13/2003)
03/18/2003	102	Memo-Endorsement on letter addressed to Judge Kaplan from James M. Lemonedes, dated 3/13/03. Re: counsel for dfts request a three week extension until 4/7/03 to file a joint pre-trial order. Application granted . (signed by Judge Lewis A. Kaplan) (db) (Entered: 03/19/2003)
03/18/2003	103	Memo-Endorsement on letter addressed to Judge Kaplan from Richard A. Levy, dated 3/13/03. Re: counsel for pltff requests a one month extension to respond to City dfts motions, with dfts reply extended one month also; dfts have consented request Applications granted. Pltff's response to dfts [83-1] motion, [96-1] motion, [92-1] motion, [88-1] motion, [81-1] motion and [79-1] motion by 4/24/03 , and reply to opposition to dfts [83-1] motion, [96-1] motion, [92-1] motion, [88-1] motion, [81-1] motion and [79-1] motion by 5/24/03 . (signed by Judge Lewis A. Kaplan) (db) Modified on 03/19/2003 (Entered: 03/19/2003)
03/21/2003	106	JOINT PRETRIAL ORDER filed. (signed by Judge Lewis A. Kaplan) (sac) (Entered: 03/24/2003)

03/24/2003	107	REPLY MEMORANDUM by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief in support re: [74-1] motion for an order limiting the number of non-statistical evidence witnesses plaintiffs' may offer in the pattern and practice liability phase of this litigation. Recieved in night deposit box on 3/24/03 at 9:20 p.m. (db) (Entered: 03/25/2003)
03/26/2003	114	Letter filed by The City of New York addressed to Judge Kaplan from William S. J. Fraenkel, dated 3/25/03, re: attached declaration of Dr. Saad (cd) (Entered: 04/10/2003)
03/27/2003	108	MEMORANDUM OF LAW by Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa, Hector Ariza, Manuel Gomez, Christopher Castro, Manuel Delgado, Parnell Peterson, Hiram Monserrate, Fernando Sanchez in opposition to [74-1] motion for an order limiting the number of non-statistical evidence witnesses plaintiffs' may offer in the pattern and practice liability phase of this litigation. (sb) (Entered: 03/28/2003)
03/27/2003	109	AFFIDAVIT of Diane Paolicelli by Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa, Hector Ariza, Manuel Gomez, Christopher Castro, Manuel Delgado, Parnell Peterson, Hiram Monserrate, Fernando Sanchez in opposition to [74-1] motion for an order limiting the number of non-statistical evidence witnesses plaintiffs' may offer in the pattern and practice liability phase of this litigation. (sb) (Entered: 03/28/2003)
03/31/2003		Terminated document 34-1 pursuant to instructions of Judge Kaplan as indicated on the CJRA report. (rag) (Entered: 03/31/2003)
04/01/2003	110	MEMORANDUM OPINION # 88290, granting in part, denying in part [34-1] motion for an Order pursuant to Rule 56 of the FRCP for summary judgment dismissing the claims in this action of plaintiffs Charles Castro, Fernando Sanchez and Reuben Malave for damages and equitable relief based on their terminations from the New York City Police Department; defendants' motion for summary judgment dismissing the Article 78 Plaintiffs' wrongful termination claims is granted to the extent that: (1) Castro's wrongful termination claim is dismissed; (2) Malave is precluded from relitigating the issues whether he patronized as prostitute and that he was unfit for duty by reason of intoxication; and (3) Sanchez is precluded from relitigating the issue whether his termination was in retaliation for his exercise of his First Amendment rights. (signed by Judge Lewis A. Kaplan); (ae) (Entered: 06/04/2003)
04/04/2003	111	Letter filed by Latino Officers, Wilfred Maldonado, Anthony Miranda addressed to Judge Kaplan from Richard A. Levy, dated 4/2/03, re: CATS data. (cd) (Entered: 04/10/2003)
04/04/2003	112	Letter filed by The City of New York et al addressed to Judge Kaplan from James M. Leomonedes, dated 4/3/03, re: sanctions against defts. (cd) (Entered: 04/10/2003)
04/08/2003	113	Letter filed by The City of New York addressed to Judge Kaplan from James M. Leomonedes, dated 4/7/03, re: plntf's request for sanctions. (cd) (Entered: 04/10/2003)
04/09/2003	116	Letter filed by Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa, Hector Ariza, Manuel Gomez, Christopher Castro, Manuel Delgado, Parnell Peterson, Hiram Monserrate, Fernando Sanchez addressed to Judge Kaplan from Richard A. Levy, dated 4/8/03, re: Response to defendants' 4/7/03 letter. (sb) (Entered: 04/11/2003)
04/10/2003	115	ORDER, Plaintiffs contend that defendants have violated both the Court's 12/3/02 order, which required production of an updated CATS database, and the 2/28/03 order insofar as they have failed, allegedly "to identify in what way, if any, Plaintiff's findings are affected by the latest claimed problem with the database. Plaintiff seeks sanctions, as further set forth on this order. Also plaintiff requests an order directing defendants to correct any flaws in the database by 4/15/03 and to pay plaintiffs' costs and fees in producing a new statistical report. Plaintiffs' application is denied in all respects save that defendants shall comply with paragraph 9 of the Court's 12/3/02 order no later than 5/15/03. (signed by Judge Lewis A. Kaplan); Copies faxed by Chambers. (sb) (Entered: 04/11/2003)
04/16/2003	117	Memo-Endorsement on letter addressed to Judge Kaplan from Richard A. Levy, dated 4/11/03. Counsel for plaintiffs request a 1 month's extension of time, from the date of receipt of the corrected CATS data--which is due on 5/15/03--to prepare a revised and updated report and to respond to the defendants motion to dismiss the pattern or practice case. Application granted. (signed by Judge Lewis A. Kaplan) (sb) (Entered: 04/16/2003)
04/16/2003	118	Memo-Endorsement on letter addressed to Judge Kaplan from Mark A. Panzavecchia, dated 4/11/03. The motion for summary judgment dismissing the claim of Mr. Mercedes (Docket item 83) is denied without prejudice to renewal if no settlement is approved. (signed by Judge Lewis A. Kaplan); (kw) (Entered: 04/17/2003)
04/22/2003	119	ORDER; denying [74-1] motion for an order limiting the number of non-statistical evidence witnesses plaintiffs' may offer in the pattern and practice liability phase of this litigation. (signed by Judge Lewis A. Kaplan); Copies mailed by Chamber (sac) (Entered: 04/22/2003)
04/24/2003	120	SEALED DOCUMENT placed in vault. (js) (Entered: 04/25/2003)

04/24/2003	121	MEMORANDUM OF LAW by Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa, Hector Ariza, Manuel Gomez, Christopher Castro, Manuel Delgado, Parnell Peterson, Hiram Monserrate, Fernando Sanchez in opposition to dfts' motion for summary judgment as to plaintiffs Latino Officers Assoc. Anthony Miranda, Hiram Monserrate, Adam Alvarez and Wilfred Maldonado. (dle) (Entered: 04/25/2003)
04/24/2003	122	COUNTER STATEMENT TO RULE 56.1 filed by Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa, Hector Ariza, Manuel Gomez, Christopher Castro, Manuel Delgado, Parnell Peterson, Hiram Monserrate, Fernando Sanchez (dle) (Entered: 04/25/2003)
04/24/2003	123	DECLARATION of Richard Levy by Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa, Hector Ariza, Manuel Gomez, Christopher Castro, Manuel Delgado, Parnell Peterson, Hiram Monserrate, Fernando Sanchez in opposition to dfts' motion for Summary judgment as to plaintiffs Anthony Miranda, The Latino Officers' Assoc., Hiram Monserrate, Adam Alvarez and Wilfred Maldonado. (dle) (Entered: 04/25/2003)
04/24/2003	124	DECLARATION of Nancy A. Perry in opposition to the motion of defendants for summary judgment as to plaintiff Hector Ariza. (jco) (Entered: 04/25/2003)
04/24/2003	125	MEMORANDUM OF LAW by Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa in opposition to defendants' motion for partial summary judgment as to plaintiff Parnell Peterson. (jco) (Entered: 04/25/2003)
04/24/2003	126	RESPONSE by Clifford Muniz Re: [98-1] settlement notice. (jco) (Entered: 04/25/2003)
04/24/2003	127	MEMORANDUM OF LAW by Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa in opposition to defendants' motion for partial summary judgment as to plaintiff Clifford Muniz. (jco) (Entered: 04/25/2003)
04/24/2003	128	DECLARATION of Susan M. Jaffe in opposition to defendants' motion for partial summary judgment as to plaintiff Clifford Muniz. (jco) (Entered: 04/25/2003)
04/24/2003	129	RESPONSE by Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa Re: [122-1] settlement notice. (jco) (Entered: 04/25/2003)
04/24/2003	130	RESPONSE by Parnell Peterson Re: [122-1] settlement notice, [98-1] settlement notice. (jco) (Entered: 04/25/2003)
04/24/2003	131	MEMORANDUM OF LAW by Latino Officers, Wilfred Maldonado, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory, Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa in opposition to defendants' motion for summary judgment as to plaintiff Hector Ariza. (jco) (Entered: 04/25/2003)
04/25/2003	132	DECLARATION of Diane Paolicelli by Parnell Peterson in opposition to the motion of defendants for summary judgment as to plaintiff Parnell Peterson. (jco) (Entered: 04/25/2003)
05/09/2003	133	ORDER, that a settlement conference shall be held in this action on 6/11/03 at 10:30 a.m., in courtroom 519, 40 Centre Street, New York, NY . (signed by Magistrate Judge Kevin Nathaniel Fox); Copies mailed by Chambers. (ae) (Entered: 05/12/2003)
05/12/2003	134	Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for settlement. Referred to Magistrate Judge Kevin Nathaniel Fox. (signed by Judge Lewis A. Kaplan) (djc) (Entered: 05/12/2003)
05/20/2003	135	Memo-Endorsement on letter addressed to Judge Kaplan from James Lemonedes, dated 5/16/03. Counsel for defendants request until 6/16/03 to file their reply papers with respect to plaintiff Clifford Muniz. Application granted. (signed by Judge Lewis A. Kaplan) (sb) (Entered: 05/21/2003)
05/27/2003	138	AFFIRMATION of Sara Mason by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief. Received in night deposit box on 5/27/03 at 10:38 p.m. (db) (Entered: 06/02/2003)
05/27/2003	137	REPLY MEMORANDUM OF LAW by The City of New York, Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief in support re: [88-1] motion for an Order pursuant to Rule 56 of the FRCP for summary judgment dismissing all claims related to Hector Ariza in this action. (Filed in the night deposit on 10:38 p.m.) (ae) (Entered: 06/10/2003)
05/27/2003	139	REPLY MEMORANDUM OF LAW by The City of New York, Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief in support re: [92-1] motion for an Order pursuant to Rule 56 of the FRCP for summary judgment as to all claims against Anthony Miranda, The Latino Officers Association, Inc., Hiram Monserrate, Adam Alvarez and Wilfred Maldonado. (Filed in the night deposit on 5/27/03 at 5:31 p.m.) (ac) (Entered: 06/10/2003)

05/29/2003	136	STIPULATION and ORDER, that dfts' motion for partial summary judgment with respect to plaintiff Parnell Peterson withdrawn with prejudice; parties further agree as to plaintiff Peterson and Ariza as further set forth in this stipulation . (signed by Judge Lewis A. Kaplan) (dle) (Entered: 05/30/2003)
06/11/2003	140	Memo-Endorsement on letter addressed to Judge Kaplan from James Lemonedes, dated 6/4/03. Counsel requests an additional two weeks to address summary judgment issues. Application granted . (signed by Judge Lewis A. Kaplan) (sb) (Entered: 06/12/2003)
06/11/2003	141	Memo-Endorsement on letter addressed to Judge Kaplan from Richard A. Levy, dated 6/3/03, Plntfs' Response to Motion reset for 7/7/03 re: [96-1] motion for an Order pursuant to Rule 56 of the FRCP for summary judgment dismissing the plaintiffs claims, for 7/7/03 re: [92-1] motion for an Order pursuant to Rule 56 of the FRCP for summary judgment as to all claims against Anthony Miranda, The Latino Officers Association, Inc., Hiram Monserrate, Adam Alvarez and Wilfred Maldonado, for 7/7/03 re: [88-1] motion for an Order pursuant to Rule 56 of the FRCP for summary judgment dismissing all claims related to Hector Ariza in this action, for 7/7/03 re: [81-1] motion for an order purs. to Rule 56 of the FRCP granting partial summary judgment as to certain claims of plaintiff Clifford Muniz ; Defts' Reply to Response to Motion reset for 8/6/03 re: [96-1] motion for Order pursuant to Rule 56 of the FRCP for summary judgment dismissing the plaintiffs claims, for 8/6/03 re: [92-1] motion for an Order pursuant to Rule 56 of the FRCP for summary judgment as to all claims against Anthony Miranda, The Latino Officers Association, Inc., Hiram Monserrate, Adam Alvarez and Wilfred Maldonado, for 8/6/03 re: [88-1] motion for an Order pursuant to Rule 56 of the FRCP for summary judgment dismissing all claims related to Hector Ariza in this action, for 8/6/03 re: [81-1] motion for an order purs. to Rule 56 of the FRCP granting partial summary judgment as to certain claims of plaintiff Clifford Muniz . (signed by Judge Lewis A. Kaplan), (cd) (Entered: 06/12/2003)
06/11/2003		Second Settlement Conference held before Magistrate Judge Kevin Nathaniel Fox. (kw) (Entered: 07/03/2003)
06/13/2003	142	FIRST STIPULATION and ORDER of SETTLEMENT AND DISCONTINUANCE REGARDING ATTORNEYS' FEES. That the individual claims of Manuel Delgado, Thaddeus Gamory, Carlos Jimenez, Hiram Monserrate, Manuel Nunez, Hilda Susu, Louis Vega, and Daniel Figueroa are hereby dismissed, with prejudice as is set forth in their respective Stipulations of Settlement and Discontinuance attached hereto, and without costs, expenses, or fees in excess of the amount of \$398,000.00 ; Defendant City of NY hereby agrees to pay plaintiff the sum of \$398,000.00 in full satisfaction of attorney fees to LRB and LPK in connection with the aforementioned eight settling plaintiffs on the terms set forth herein . (signed by Judge Lewis A. Kaplan) (tp) (Entered: 06/16/2003)
06/13/2003	143	STIPULATION and ORDER of SETTLEMENT AND DISCONTINUANCE, that plaintiff Delgado discontinues this action and dismisses all claims he made or could have made with prejudice, and without costs, expenses, fees or other consideration, except for \$15,000.00 ; Defendant City of NY hereby agrees to pay plaintiff Delgado the sum of \$15,000.00 in compensatory damages and attorneys' fees for time attributed to plaintiff's claims in accordance with the First Stipulation and Order of Settlement and Discontinuance Regarding Attorneys' Fees . (signed by Judge Lewis A. Kaplan) (tp) (Entered: 06/16/2003)
06/13/2003	144	STIPULATION and ORDER of SETTLEMENT AND DISCONTINUANCE, that plaintiff Gamory discontinues this action and dismisses all claims he made or could have made with prejudice, and without costs, expenses, fees or other consideration, except for the amounts further set forth ; Defendant City of New York hereby agrees to pay plaintiff Gamory the amounts of \$213,290.13 for back pay and \$40,000.00 in compensatory damages as further described herein . (signed by Judge Lewis A. Kaplan) (tp) (Entered: 06/16/2003)
06/13/2003	145	STIPULATION and ORDER of SETTLEMENT AND DISCONTINUANCE, that plaintiff Jimenez discontinues this action and dismisses all claims he made or could have made with prejudice, and without costs, expenses, fees or other consideration, except for \$21,000.00 ; Defendant City of New York agrees to pay plaintiff Jimenez the amount of \$21,000.00 in compensatory damages, as further described herein . (signed by Judge Lewis A. Kaplan) (tp) (Entered: 06/16/2003)
06/13/2003	146	STIPULATION and ORDER of SETTLEMENT AND DISCONTINUANCE, that plaintiff Monserrate discontinues this action and dismisses all claims he made or could have made with prejudice, and without costs, expenses, fees or other consideration, except for \$100,000.00 ; Defendant City of NY hereby agrees to pay plaintiff the sum of \$100,000.00 in compensatory damages . (signed by Judge Lewis A. Kaplan) (tp) (Entered: 06/16/2003)
06/13/2003	147	STIPULATION and ORDER of SETTLEMENT AND DISCONTINUANCE, that plaintiff Nunez discontinues this action and dismisses all claims he made or could have made with prejudice, and without costs, expenses, fees or other consideration, except for \$10,000.00 ; Defendant City of NY hereby agrees to pay plaintiff the sum of \$10,000.00 in full satisfaction of his claim for lost overtime and his other claims as additional salary for overtime as further set forth herein . (signed by Judge Lewis A. Kaplan) (tp) (Entered: 06/16/2003)
06/13/2003	148	STIPULATION and ORDER of SETTLEMENT AND DISCONTINUANCE, that plaintiff Susu discontinues this action and dismisses all claims she made or could have made with prejudice, and without costs, expenses, fees or other consideration, except for \$5,000.00 ; Defendant City of NY hereby agrees to pay plaintiff Susu the sum of \$5,000.00 in compensatory damages . (signed by Judge Lewis A. Kaplan) (tp) (Entered: 06/16/2003)
06/13/2003	149	STIPULATION and ORDER of SETTLEMENT AND DISCONTINUANCE, that plaintiff Vega discontinues this action and dismisses all claims he made or could have made with prejudice, and without costs, expenses, fees or other consideration, except for the amounts set forth herein ; Defendant City of New York hereby agrees to pay plaintiff Vega the amount of \$426,823.52 in back pay and \$2,011.40 for his 10 day suspension as further described herein . (signed by Judge Lewis A. Kaplan) (tp) (Entered: 06/16/2003)

06/13/2003	150	STIPULATION and ORDER of SETTLEMENT AND DISCONTINUANCE, that plaintiff Vega discontinues this action and dismisses all claims he made or could have made with prejudice, and without costs, expenses, fees or other consideration, except for the amount of \$10,000.00 ; Defendant City of NY hereby agrees to pay plaintiff Vega the sum of \$10,000.00 in compensatory damages . (signed by Judge Lewis A. Kaplan) (tp) (Entered: 06/16/2003)
06/13/2003	151	STIPULATION and ORDER of SETTLEMENT AND DISCONTINUANCE, that plaintiff Mercedes discontinues this action and dismisses all claims he made or could have made with prejudice, and without costs, expenses, fees or other consideration, except for the amount of \$5,041.66 ; Defendant City of New York hereby agrees to pay plaintiff Mercedes the amount of \$5,041.66 in accrued unused back vacation pay as further set forth . (signed by Judge Lewis A. Kaplan) (tp) (Entered: 06/16/2003)
06/16/2003	152	DECLARATION of Phyllis Calistro in support of defendants' reply to plaintiff's opposition to [81-1] motion for an order purs. to Rule 56 of the FRCP granting partial summary judgment as to certain claims of plaintiff Clifford Muniz. (jco) (Entered: 06/17/2003)
06/16/2003	153	REPLY by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief Re: [81-1] motion for an order purs. to Rule 56 of the FRCP granting partial summary judgment as to certain claims of plaintiff Clifford Muniz (jco) (Entered: 06/17/2003)
06/18/2003	154	CORRECTED REPLY MEMORANDUM by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief in support re: [88-1] motion for an Order pursuant to Rule 56 of the FRCP for summary judgment dismissing all claims related to Hector Ariza in this action . (dle) (Entered: 06/19/2003)
06/18/2003	155	ORDER granting in part, denying in part [81-1] motion for an order purs. to Rule 56 of the FRCP granting partial summary judgment as to certain claims of plaintiff Clifford Muniz. Accordingly, defendants' motion for partial summary judgment dismissing aspects of the complaint as to plaintiff Muniz is granted to the extent that Muniz's disparate treatment claim with respect to the removal of the flyers at the 26th Precinct is dismissed. The motion is denied in all other respects (signed by Judge Lewis A. Kaplan); Copies mailed by Chambers on 6/17/03. (yv) (Entered: 06/20/2003)
06/18/2003	156	ORDER granting in part, denying in part [92-1] motion for an Order pursuant to Rule 56 of the FRCP for summary judgment as to all claims against Anthony Miranda, The Latino Officers Association, Inc., Hiram Monserrate, Adam Alvarez and Wilfred Maldonado. Defendants' motion for summary judgment dismissing the claims of LOA, Miranda, Alvarez and Maldonado is granted to the extent that the claims of (1) Miranda based on events prior to 11/24/97 and (2) Alvarez based on events prior to 11/12/97 are dismissed. The motion is denied in all other respects (signed by Judge Lewis A. Kaplan); Copies mailed by Chambers on 6/17/03. (yv) (Entered: 06/20/2003)
06/23/2003	157	NOTICE OF CHANGE OF ATTORNEY ADDRESS by Latino Officers, Wilfred Maldonado, Anthony Miranda, Clifford Muniz, Adam Alvarez, Charles Castro, Michael Padilla, Ruben Malave, Hector Ariza, Manuel Gomez, Christopher Castro, Parnell Peterson, Fernando Sanchez. (pl) (Entered: 06/24/2003)
06/23/2003	158	ORDER (Corrected), that defendants' motion for summary judgment dismissing the claims of the LOA, Miranda, Alvarez and Maldonado [docket item 92] is granted to the extent that the claims of (1) Miranda based on events prior to 11/22/94, and (2) Alvarez based on events prior to 11/12/97, are dismissed. The motion is denied in all other respects . (signed by Judge Lewis A. Kaplan); Copies mailed by Chambers. (tp) (Entered: 06/24/2003)
07/07/2003	159	NOTICE OF MOTION by Latino Officers, Wilfred Maldonado, Anthony Miranda, Clifford Muniz, Adam Alvarez, Charles Castro, Michael Padilla, Ruben Malave, Hector Ariza, Manuel Gomez, Christopher Castro, Parnell Peterson, Fernando Sanchez; for an order purs to Fed. R. Evid. 702 and 403, excluding the expert report and declaration of Defendants' statistician, Dr. Ali Saad ; for summary judgment on liability on Plaintiffs' class action pattern or practice claims of discrimination in the disciplinary system, retaliation and hostile work environment, purs to Rule 56(a) of the FRCP ; and for attorney fees ; Return Date not indicated. (djc) (Entered: 07/09/2003)
07/07/2003	160	Plaintiffs' Michael Padilla, Ruben Malave, Hector Ariza, Manuel Gomez, Christopher Castro, Parnell Peterson, Fernando Sanchez, Latino Officers, Wilfred Maldonado, Anthony Miranda, Clifford Muniz, Adam Alvarez, Charles Castro Report and Declaration of Plaintiffs' Rebuttal Expert Dr. Mark R. Killingsworth in Response to Report of Defendants' Expert Dr. Ali Saad; (docmt received in night dep. on 07/07/03 at 11:36 p.m.) (djc) (Entered: 07/09/2003)
07/07/2003	161	MEMORANDUM OF LAW by Ruben Malave, Clifford Muniz, Adam Alvarez, Charles Castro, Michael Padilla, Hector Ariza, Manuel Gomez, Christopher Castro, Parnell Peterson, Fernando Sanchez in support of Plaintiffs' Cross-Motion for Summary Judgment and Motion to Exclude Report and Declaration of Ali Saad, and In Opposition to Defendants Motion for Summary Judgment; (docmt received in night dep. on 07/07/03 at 11:36 p.m.) (djc) (Entered: 07/09/2003)
07/07/2003	162	RESPONSE by Latino Officers, Wilfred Maldonado, Anthony Miranda, Clifford Muniz, Adam Alvarez, Charles Castro, Michael Padilla, Ruben Malave, Hector Ariza, Manuel Gomez, Christopher Castro, Parnell Peterson, Fernando Sanchez to defendants' Rule 56.1 Statement of Undisputed Facts, and Plaintiffs' Rule 56.1 Statement of Undisputed Facts; (docmt received in night dep. on 07/07/03 at 11:36 p.m.); (djc) (Entered: 07/09/2003)
07/07/2003	163	DECLARATION of Richard Al Levy by Latino Officers, Wilfred Maldonado, Anthony Miranda, Clifford Muniz, Adam Alvarez, Charles Castro, Michael Padilla, Ruben Malave, Hector Ariza, Manuel Gomez, Christopher Castro, Parnell Peterson, Fernando Sanchez in support Re: [159-1] motion for an order purs to Fed. R. Evid. 702 and 403,

		excluding the expert report and declaration of Defendants' statistician, Dr. Ali Saad, [159-2] motion for summary judgment on liability on Plaintiffs' class action pattern or practice claims of discrimination in the disciplinary system, retaliation and hostile work environment, purs to Rule 56(a) of the FRCP, [159-3] motion for attorney fees; and in oppositon to Defendants' motion for summary judgment; (docmt received in night dep. on 07/07/03 at 11:35 p.m.); accompanied by 5 Volumes of Exhibits (djc) Modified on 07/09/2003 (Entered: 07/09/2003)
07/07/2003	164	Plaintiffs Latino Officers, Wilfred Maldonado, Anthony Miranda, Clifford Muniz, Adam Alvarez, Charles Castro, Michael Padilla, Ruben Malave, Hector Ariza, Manuel Gomez, Christopher Castro, Parnell Peterson, Fernando Sanchez First Report of Expert Richard Faust (Based on Corrected Date Provided May 15,2003). (djc) (Entered: 07/09/2003)
07/07/2003	165	Fourth Report of Plaintiffs' Expert Richard Fause (Responding to the March 4, 2003 Report of Defendants' Expert Dr. Ali Saad. (djc) (Entered: 07/09/2003)
07/07/2003	270	PLAINTIFFS' STATISTICAL APPENDIX (EXHIBIT). Document filed by Michael Padilla, Ruben Malave, Latino Officers Association City of New York Incorporated, Hector Ariza, Manuel Gomez, Christopher Castro, Parnell Peterson, Fernando Sanchez, Anthony Miranda, Clifford Muniz, Adam Alvarez, Charles Castro.(ae) (Entered: 03/15/2007)
07/09/2003	166	Memo-Endorsement on letter to Judge Kaplan from Diane Paolicelli, dated 7/3/03. counsel for plaintiffs request permission to file a longer brief of no more than 60 pages. Application granted . (signed by Judge Lewis A. Kaplan); (yv) (Entered: 07/09/2003)
07/09/2003	167	Memo-Endorsement on letter addressed to Judge Kaplan from Richard A. Levy, dated 6/30/03. Re: counsel for pltff impose on the Court for assistance to resolve a problem created by dfts' failure to provide correct data and other information. In light of dfts' response, dated 7/3/03, this application is DENIED . (signed by Lewis A. Kaplan) (db) (Entered: 07/10/2003)
07/09/2003	169	Letter filed by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relic addressed to Judge Lewis A. Kaplan from James Lemonedes, dated 7/3/03, re: Levy's letter dated 6/30/03. (dle) (Entered: 07/10/2003)
07/10/2003	168	SEALED DOCUMENT placed in vault. (wv) (Entered: 07/10/2003)
07/14/2003	170	ORDER: denying dfts' motion for summary judgment dismissing the Complaint [79-1]; denying [159-1] motion for an order purs to Fed. R. Evid. 702 and 403, excluding the expert report and declaration of Defendants' statistician, Dr. Ali Saad, denying [159-2] motion for summary judgment on liability on Plaintiffs' class action pattern or practice claims of discrimination in the disciplinary system, retaliation and hostile work environment, purs to Rule 56(a) of the FRCP, denying [159-3] motion for attorney fees . (signed by Judge Lewis A. Kaplan); Copies mailed by Chamber (sac) (Entered: 07/15/2003)
07/15/2003	171	ORDER, that for the reasons set forth, defendants' [88-1] motion for an Order pursuant to Rule 56 of the FRCP for summary judgment dismissing all claims related to Hector Ariza in this action, as modified by stipulation, is denied in all respects. (signed by Judge Lewis A. Kaplan); Copies mailed by Chambers. (tp) (Entered: 07/16/2003)
07/16/2003	172	ORDER, the pattern and practice phase of the trial shall commence on 1/5/04 at 9:30 a.m. The parties shall show cause by 7/27/03, why the pattern and practice phase should not be limited to 110 hours, allotted equally between the two sides,with time spent by each side in questioning witnesses (direct of its own witnesses, cross of its adversary's, etc.) and argument charged against its allotment ; any in limine motions shall be filed no later than 9/8/03. Trial counsel shall confer with the Deputy Clerk with a view to maximizing use of equipment for the electronic presentation of evidence. Counsel's attention is drawn to Effective Use of Courtroom Technology: A Judge's Guide to Pretrial and Trial, published by the Federal Judicial Center. The parties shall submit a plan for the use of such equipment no later than 10/15/03 . (signed by Judge Lewis A. Kaplan); Copies mailed by chambers. (kw) (Entered: 07/17/2003)
07/18/2003	174	Transcript of record of proceedings before Judge Lewis A. Kaplan for the date(s) of 6/23/03. (tr) (Entered: 08/14/2003)
07/23/2003	173	Memo-Endorsement on letter addressed to Judge Kaplan from Pamela Jeffrey, dated 7/21/03. Granting plaintiffs' request for an extension until 8/1/03 for the parties to show cause with respect to the duration of the pattern or practice trial . (signed by Judge Lewis A. Kaplan); (kw) (Entered: 07/24/2003)
09/03/2003	175	DECLARATION of Richard A. Levy Re: [172-1] order the pattern and practice phase of the trial shall commence on 1/5/04 at 9:30 a.m. The parties shall show cause by 7/27/03, why the pattern and practice phase should not be limited to 110 hours, allotted equally between the two sides,with time spent by each side in questioning witnesses (direct of its own witnesses, cross of its adversary's, etc.) and argument charged against its allotment, [172-2] relief any in limine motions shall be filed no later than 9/8/03. Trial counsel shall confer with the Deputy Clerk with a view to maximizing use of equipment for the electronic presentation of evidence. Counsel's attention is drawn to Effective Use of Courtroom Technology: A Judge's Guide to Pretrial and Trial, published by the Federal Judicial Center. The parties shall submit a plan for the use of such equipment no later than 10/15/03, [172-3] relief . (dle) (Entered: 09/10/2003)
10/08/2003	176	DECLARATION of Richard Levy by Latino Officers, Wilfred Maldonado, Anthony Miranda, Clifford Muniz, Adam Alvarez, Charles Castro, Michael Padilla, Ruben Malave in response to the Court's 7/14/03 Order to Show Cause. (db) (Entered: 10/09/2003)

10/08/2003	177	Letter filed by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief addressed to Judge Kaplan from James M. Lemonedes, dated 8/5/03, re: response to pltffs request that the trial of the pattern and practice case NOT be limited to 110 hours. (db) (Entered: 10/09/2003)
10/08/2003	178	Letter filed by The City of New York, N.Y.P.D., Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief, Hector Ariza, Manuel Gomez, Christopher Castro, Haydee Cartagena, Manuel Delgado, Parnell Peterson addressed to Judge Kaplan from James M. Lemonedes, dated 8/4/03, re: response to pltffs request that the trial of the pattern and practice case NOT be limited to 110 hours. (db) (Entered: 10/09/2003)
10/08/2003	179	ORDER, regarding the issues concerning this matter on its sua sponte order to show cause why a time limit should not be placed on the pattern and practice phase of the trial . (signed by Judge Lewis A. Kaplan); Copies mailed by Chambers. (tp) (Entered: 10/09/2003)
10/08/2003	180	ORDER; that the settlement conference will be held for 10:30 a.m. on 10/28/03 . (signed by Magistrate Judge Kevin Nathaniel Fox); Copies faxed by Chambers. (jco) (Entered: 10/10/2003)
10/15/2003	181	STIPULATION and ORDER, that the parties' time to submit their plans for the use of courtroom technology is extended until 10/22/03 . (signed by Judge Lewis A. Kaplan) (dle) (Entered: 10/20/2003)
10/17/2003	182	Memo-Endorsement on letter addressed to Judge Lewis A. Kaplan from Richard A. Levy, dated 10/15/03. Re:, counsel for parties request an adjournment of Friday's conference. Adjourned to 11/4/03 at 8:45 a.m. . (signed by Judge Lewis A. Kaplan); (dle) (Entered: 10/22/2003)
10/28/2003		Memorandum to Docket Clerk: that a settlement conference was held before Mag. Judge Fox on 10/28/03. (pl) (Entered: 11/13/2003)
10/28/2003		Settlement Conference held on 10/28/03 before Magistrate Judge Kevin Nathaniel Fox . (pl) (Entered: 11/13/2003)
11/04/2003	183	Memorandum to Docket Clerk: A pre-trial conference was held on 11/4/03 before Judge Kaplan. Court Reporter Gerry Harrison present. (moc) (Entered: 11/05/2003)
11/04/2003		PRETRIAL CONFERENCE held before Judge Lewis A. Kaplan. Court Reporter Gerry harrison present. (moc) (Entered: 11/05/2003)
11/14/2003	184	Memo-Endorsement on letter addressed to Judge Kaplan from James M. Lemonedes, dated 11/12/03. Re: counsel for dfts requests an extension of time until 11/21/03 to respond to the various systematic issues addressed in Mr. Levy's 11/6/03 letter. Application granted (signed by Judge Lewis A. Kaplan) (db) (Entered: 11/17/2003)
11/20/2003	185	ORDER: adding party(ies) Kenneth Feinberg, Esq., Peter Woodin, Esq. added party(ies): special master Kenneth Feinberg, Peter Woodin , the parties are directed to make themselves and their principals available promptly and as requested by the special master to facilitate a full exploration of the possibility of a consensual resolution of this case prior to the start of the trial on 1/5/04., The special master shall report periodically to the Court concerning the progress of these discussions and the cooperativeness of the parties. Absent contrary order, the reports shall not disclose the positions regarding any of the matters at issue , the parties are advised that the Court is to try this case on 1/5/04, absent the execution prior to that date of a definite settlement agreement . (signed by Judge Lewis A. Kaplan); Copies Faxed to all parties by Chambers. (db) (Entered: 11/21/2003)
11/20/2003	187	Letter filed addressed to Judge Kaplan from Diane Paolicelli, atty. for Plaintiffs, dated 11/17/03, re: responding to Mr. Lemonedes' latest diatribe against Plaintiffs' counsel, we respectfully request the Court to grant relief w/ respect to the one real issue that remains outstanding--namely, the Defendants' failure to provide Rule 26(a)(2)(B) data related to Dr. Saad's "rebuttal report". (ae) (Entered: 11/22/2003)
11/21/2003	186	ORDER; resolution of additional issues with the Court regarding the production of materials relevant to defendants' statistical expert and preparation is as set forth in this Order ; (signed by Judge Lewis A. Kaplan); (djc) (Entered: 11/22/2003)
12/02/2003		MEMO ENDORSEMENT on 96 Motion for Summary Judgment. Motion denied for reasons set forth in order dated 7/14/03.(Signed by Judge Lewis A. Kaplan on 12/1/03) (tp,) (Entered: 12/10/2003)
01/28/2004	188	TRANSCRIPT of proceedings held on 12/5/03 before Judge Lewis A. Kaplan.(rg,) (Entered: 01/28/2004)
02/17/2004	189	STIPULATION AND ORDER The Court pursuant to Rule 23(e) of the F.R.C.P., that the within action be settled on the following terms and conditions further set forth in this Order. Defendants agree to pay undersigned class counsel the sum of Four million, eight hundred thousand dollars (\$4,800,000) as and for their attorneys fees and costs incurred up to the date of the Final Order of settlement and agree not to oppose plaintiffs' counsel's application to approve this sum as a reasonable attorneys fee pursuant to F.R.C.P. 23(e). Plaintiffs shall not seek from defendants, nor shall defendants be liable for any attorneys fees or costs incurred by class counsel after the Final Order of settlement relating to implementation of this settlement. The Court does not hereby approve the settlement,which must await further proceedings. So Ordered. (Signed by Judge Lewis A. Kaplan on 2/10/04) (jco,) (Entered: 02/19/2004)
03/17/2004	190	Letter addressed to Judge Kaplan from Manuel Gomez dated 03/15/04 re: misleading letter sent to Your Honor by Ms. Goergia Pestana, Chief of Labor and Employment Law of the NYC Law Dept., dated March 3, 2004. Document filed by Manuel Gomez.(djc,) (Entered: 03/22/2004)
03/18/2004	191	JOINT MOTION for Preliminary Approval of Class Action Settlement. (sb,) (Entered: 03/22/2004)

03/18/2004	192	MEMORANDUM OF LAW in Support of 191 MOTION to Approve Class Action Settlement. Document filed by Adam Alvarez, Hector Ariza, Charles Castro, Christopher Castro, Manuel Gomez, Latino Officers Association City of New York Incorporated, Ruben Malave, Wilfred Maldonado, Anthony Miranda, Clifford Muniz, Michael Padilla, Parnell Peterson, Fernando Sanchez. (sb,) (Entered: 03/22/2004)
03/18/2004	193	DECLARATION of Georgia Pestana in Support of 191 MOTION to Approve Class Action Settlement. Document filed by Patrick Bradley, Charles V. Campisi, Joseph Flynn, Rudolph W. Giuliani, George Grasso, Patrick Kelleher, Richard Kubick, New York City Police Department, Howard Safir, The City of New York, The Police Relief Fund, Inc. (sb,) (Entered: 03/22/2004)
03/18/2004	194	DECLARATION of Diane Paolicelli and Richard A. Levy in Support of 191 MOTION to Approve Class Action Settlement. Document filed by Adam Alvarez, Hector Ariza, Charles Castro, Christopher Castro, Manuel Gomez, Latino Officers Association City of New York Incorporated, Ruben Malave, Wilfred Maldonado, Anthony Miranda, Clifford Muniz, Parnell Peterson, Fernando Sanchez. (sb,) (Entered: 03/22/2004)
03/25/2004	195	ORDER, regarding issues concerning the establishment of settlement procedures as further set forth herein. (Signed by Judge Lewis A. Kaplan on 3/22/04) (tp,) (Entered: 03/30/2004)
05/11/2004	196	AFFIDAVIT of Georgia Pestana in compliance with paragraph nine of the Order Establishing Settlement Procedures dated March 22, 2004. Document filed by Patrick Bradley, Charles V. Campisi, Joseph Flynn, Rudolph W. Giuliani, George Grasso, Patrick Kelleher, Richard Kubick, New York City Police Department, Howard Safir, The City of New York, The Police Relief Fund, Inc.. (ps,) (Entered: 05/12/2004)
07/02/2004	197	Notice of Appearance, Colleen Meenan enters her appearance in this action on behalf of Rita Fleming. (dle,) (Entered: 07/07/2004)
09/03/2004	198	MOTION for an order pursuant to Rule 23(h) of the FRCP approving the award of attorneys fees and costs to class counsel as agreed to by the parties in the stipulation and order dated 12/18/03. Document filed by Adam Alvarez, Hector Ariza, Charles Castro, Christopher Castro, Manuel Gomez, Ruben Malave, Wilfred Maldonado, Anthony Miranda, Clifford Muniz, Michael Padilla, Parnell Peterson, Fernando Sanchez. (dle,) (Entered: 09/10/2004)
09/03/2004	199	AFFIRMATION of Richard A. Levy and Diane Paolicelli in Support re: 198 MOTION for Attorney Fees.. Document filed by Adam Alvarez, Hector Ariza, Charles Castro, Christopher Castro, Manuel Gomez, Latino Officers Association City of New York Incorporated, Ruben Malave, Wilfred Maldonado, Clifford Muniz, Michael Padilla, Parnell Peterson, Fernando Sanchez. (dle,) (Entered: 09/10/2004)
09/03/2004	200	Plaintiffs' Response to the Filed Objections and Pre-Hearing Memorandum of Law in support of the proposed class action settlement. Document filed by Adam Alvarez, Hector Ariza, Charles Castro, Christopher Castro, Manuel Gomez, Latino Officers Association City of New York Incorporated, Ruben Malave, Wilfred Maldonado, Anthony Miranda, Clifford Muniz, Michael Padilla, Parnell Peterson, Fernando Sanchez. (dle,) (Entered: 09/10/2004)
09/03/2004	201	DECLARATION of Richard A. Levy and Diane Paolicelli in Support of the parties' joint motion pursuant to Rule 23(e) of the FRCP for a final order and judgment approving the proposed class action settlement submitted to the court dated 12/18/03 and the revised class certification. Document filed by Adam Alvarez, Hector Ariza, Charles Castro, Christopher Castro, Manuel Gomez, Latino Officers Association City of New York Incorporated, Ruben Malave, Wilfred Maldonado, Clifford Muniz, Michael Padilla, Parnell Peterson, Fernando Sanchez. (dle,) (Entered: 09/10/2004)
09/10/2004		Minute Entry for proceedings held before Judge Lewis A. Kaplan : Fairness Hearing In Aid Of Judgment; settlement was approved. Counsel shall submit a proposed judgment. held on 9/10/2004. (cd,) (Entered: 09/16/2004)
09/17/2004	202	JUDGMENT AND ORDER APPROVING THE CLASS ACTION SETTLEMENT, CERTIFYING THE AMENDED CLASS AND APPROVING ATTORNEYS FEES. (Signed by Judge Lewis A. Kaplan on 9/15/04) (ml,) Modified on 10/7/2004 (kg,). (Entered: 09/17/2004)
09/24/2004		Mailed notice of Right to Appeal to Attorney(s) of Record: William Goodman, Richard Alan Levy, Julie E. O'Neill, Barbara J. Olshansky, Diane M. Paolicelli, Robert H. Spiegel. (snu,) (Entered: 09/24/2004)
09/27/2004	203	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Kenneth R. Feinberg dated 9/24/04 re: granting the Special Masters request that the Court order what is set forth in this letter in connection with my administration of claims arising out of the settlement of this matter. (Signed by Judge Lewis A. Kaplan on 9/27/04) (pl,) (Entered: 09/30/2004)
10/15/2004		Minute Entry for proceedings held before Judge Lewis A. Kaplan : Interim Pretrial Conference held on 10/15/2004. (jeh,) (Entered: 10/28/2004)
10/26/2004	204	ORDER a new joint pretrial order containing both a joint section and sections pertaining to individual plaintiffs, shall be submitted by 11/23/04. Any motion for a joint trial is due by 11/23/04. A final pretrial conference will be held on 12/12/04 at 2:00 p.m. So Ordered. (Signed by Judge Lewis A. Kaplan on 10/25/04) (jco,) (Entered: 10/27/2004)
10/28/2004	205	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Philip Raible dated 10/25/04 re: request for following modified schedule: 1) plaintiffs motion to consolidate and proposed joint pre-trial orders due 12/17/04. 2) defendants opposition and final joint pretrial orders due 1/14/05; plaintiffs papers in further support due 1/24/05. Application GRANTED. (Signed by Judge Lewis A. Kaplan on 10/28/04) (db,) (Entered: 11/01/2004)

10/28/2004		Set/Reset Deadlines: Motions due by 12/17/2004. Replies due by 1/24/2005. Responses due by 1/14/2005 (db,) (Entered: 11/01/2004)
11/03/2004	206	ORDER that pursuant to the notice of substitution of counsel Mintz & Gold, The Lax Law Firm, Sercarz & Riopelle, Dreier, LLP and the Law Offices of Laurie J. McPherson be substituted for Levy, Ratner & Behroozi as attorneys representing the five named plaintiffs Maldonado, Malave, Gomez Peterson and Sanchez in all matters pertaining to this action before the Honorable Lewis A. Kaplan in the District Court; Levy Ratner & Behroozi, Levy Phillips & Konigsberg LLP and Robert Spergel are relieved of further responsibility with respect to the five named plaintiffs; without further notice the clerk of the court shall immediately docket this order and the Notice of Substitution of counsel. (Signed by Judge Lewis A. Kaplan on 11/1/04) (dlc,) (Entered: 11/04/2004)
11/03/2004	207	NOTICE of Substitution of Attorney. Document filed by Manuel Gomez, Ruben Malave, Wilfred Maldonado, Parnell Peterson, Fernando Sanchez. Added attorney Steven G. Mintz for Wilfred Maldonado; Parnell Peterson; Fernando Sanchez; Manuel Gomez and Ruben Malave, Barry Lax for Wilfred Maldonado; Parnell Peterson; Fernando Sanchez; Manuel Gomez and Ruben Malave, Roland Gustaf Riopelle for Wilfred Maldonado; Parnell Peterson; Fernando Sanchez; Manuel Gomez and Ruben Malave, Joshua H. Epstein for Wilfred Maldonado; Parnell Peterson; Fernando Sanchez; Manuel Gomez and Ruben Malave, Laurie J. McPherson for Wilfred Maldonado; Parnell Peterson; Fernando Sanchez; Manuel Gomez and Ruben Malave. Attorney Robert H. Spergel; Richard A. Levy and Diane M. Paolicelli terminated. (dlc,) (Entered: 11/04/2004)
12/17/2004	208	MOTION to Consolidate Cases. Document filed by Manuel Gomez, Ruben Malave, Wilfred Maldonado, Parnell Peterson, Fernando Sanchez. (jmi,) (Entered: 12/22/2004)
12/17/2004	209	MEMORANDUM OF LAW in Support re: 208 MOTION to Consolidate Cases.. Document filed by Manuel Gomez, Ruben Malave, Wilfred Maldonado, Parnell Peterson, Fernando Sanchez. (jmi,) (Entered: 12/22/2004)
01/14/2005	211	LETTER addressed to Judge Kaplan from James M. Ledmonedes dated 01/10/05 re: counsel to defendants reauests a pretrial conference..(with exhibits) (djc,) (Entered: 01/24/2005)
01/14/2005		Minute Entry for proceedings held before Judge Lewis A. Kaplan : Interim Pretrial Conference held on 1/14/2005. JPTO is due 2/15/2005. (rw,) Modified on 3/1/2005 (rw,). (Entered: 03/01/2005)
01/19/2005	210	ORDER denying 208 Motion to Consolidate Cases without prejudice. (Signed by Judge Lewis A. Kaplan on 1/14/05) (kw,) (Entered: 01/24/2005)
02/05/2005	212	TRANSCRIPT of proceedings held on 1/14/05 before Judge Lewis A. Kaplan. (kj,) (Entered: 02/05/2005)
02/16/2005	213	ORDER: defendants are to file their motions in limine by 3/4/05; responses duey 3/16/05 and replies are due 3/23/05. (Signed by Judge Lewis A. Kaplan on 2/14/05) Copies Mailed by Chambers.(db,) (Entered: 02/18/2005)
02/16/2005		Set/Reset Deadlines: Motions due by 3/4/2005. Replies due by 3/23/2005. Responses due by 3/16/2005 (db,) (Entered: 02/18/2005)
02/22/2005	214	ORDER : purs to the Notice of Substitution of Counsel, Giskan and Solotaroff shall be substituted for the Law Offices of Laurie J. McPherson as attorneys representing the named plaintiff Manuel Gomez, in all matters pertaining to this action before the Hon. Lewis A. Kaplan in the District Court. It is further stipulated that the Law Offices of Laurie J. McPherson are relieved of further responsibility with respect to this action. (Signed by Judge Lewis A. Kaplan on 2/15/05) (djc,) (Entered: 02/23/2005)
03/04/2005	215	ENDORSED LETTER addressed to Judge Kaplan from James Lemonedes dated 2/28/2005 re: granting counsels request for an extension of time as follows: Motions due by 3/11/2005. Responses due by 3/23/2005 Replies due by 3/30/2005. (Signed by Judge Loretta A. Preska on 3/3/2005) (jp,) (Entered: 03/08/2005)
03/11/2005	216	MOTION in Limine Ordering Excluding from Evidence the Statistical, Expert and Anecdotal Plaintiffs Seek to Offer and Granting Such Other Relief as may be Appropriate. Document filed by The City of New York, New York City Police Department, Rudolph W. Giuliani, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief Fund, Inc.. (jmi,) (Entered: 03/16/2005)
03/11/2005	217	DEFENDANTS' MEMORANDUM OF LAW in Support of Their Motion to Dismiss th Complaint. Document filed by The City of New York, New York City Police Department, Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief Fund, Inc.. (jmi,) (Entered: 03/16/2005)
03/23/2005	218	MEMORANDUM OF LAW in Opposition re: 216 MOTION in Limine.. Document filed by Michael Padilla, Ruben Malave, Manuel Gomez, Wilfred Maldonado, Fernando Sanchez. (jmi,) (Entered: 03/29/2005)
03/31/2005	219	ENDORSED LETTER addressed to Judge Kaplan from James Laemonedes dated 3/29/05: granting a two day extension re defts' reply brief for their motion in limine. (Signed by Judge Lewis A. Kaplan on 3/29/05) (cd,) (Entered: 04/05/2005)
04/01/2005	220	REPLY MEMORANDUM OF LAW in Support re: 216 MOTION in Limine.. Document filed by The City of New York, New York City Police Department, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief Fund, Inc.. (jp,) (Entered: 04/08/2005)
08/03/2005	221	ORDER: that Clinton Correctional Facility make the following inmate available for a telephone conference: Inmate - Ezra Leslie DIN # 03-A-3404. Date - 8/16/05. Time - 2:00 p.m. (Signed by Judge Lewis A. Kaplan on 8/2/05) (db,) (Entered: 08/05/2005)

08/03/2005		Set/Reset Hearings: Telephone Conference set for 8/16/2005 02:00 PM before Judge Lewis A. Kaplan. (db,) (Entered: 08/05/2005)
09/13/2005	222	ORDER: deft's in limine motion does not specifically identify the witnesses whose testimony deft's seek to exclude. It would be helpful if counsel would identify the witnesses by name and provide chambers with an additional copy of the expert report of any expert witnesses at issue. (Signed by Judge Lewis A. Kaplan on 9/13/05) (kco,) (Entered: 09/15/2005)
09/29/2005	223	ENDORSED LETTER addressed to Judge Lewis A Kaplan from Noah A. Kinigstein dated 9/14/2005 re: to represent Ms. Monica Arroyo-Horne a civilian member of the New York City Police Department who is a class member in the above mentioned class action. I am writing because it appears that although Ms. Arroyo-Horne, as a civilian member of the New York City Police Department, that is doing the same or similar work as uniformed members of the New York City Police Department, and thus covered by the class certification (See page 2 of the Judgment and Order Approving the Class Action, dated September 15, 2004 and the Memorandum Opinion of August 6, 2002) has been denied compensation under the settlement. When she submitted her claim for compensation she was told she was ineligible because as civilian member she was not eligible. ENDORSEMENT: Denied. Ms. Arroyo-Horne plaintiff is not a member of the class. See letter dated 9/23/2005 of defense counsel. She of course may make any motion she wishes. She and counsel also are subject to the risk of sanctions. (Signed by Judge Lewis A. Kaplan on 9/28/2005) (jmi,) (Entered: 09/30/2005)
09/29/2005	224	LETTER addressed to Judge Lewis A. Kaplan from Georgia Pestana dated 9/23/05 re: that Ms. Arroyo-Horne is not a member of the force, is not a class member, is not bound by the settlement and is not eligible to participate in the claims procedure. Document filed by The City of New York, New York City Police Department, Rudolph W. Giuliani, Howard Safir, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief Fund, Inc.(db,) (Entered: 10/03/2005)
10/31/2005	225	ORDER: Pretrial and Settlement Conference set for 11/15/2005 at 02:00 PM before Judge Lewis A. Kaplan. Lead trial counsel shall attend and shall either have or bring clients who have full settlement authority. (Signed by Judge Lewis A. Kaplan on 10/31/2005) Copies Mailed By Chambers.(lb,) (Entered: 11/01/2005)
11/30/2005	227	NOTICE of Appearance by Noah A. Kinigstein on behalf of Monica Arroyo-Horne (jco,) . (Entered: 12/01/2005)
12/16/2005		Minute Entry for proceedings held before Judge Lewis A. Kaplan : Pretrial Conference held on 12/16/2005. (jco,) (Entered: 12/20/2005)
01/04/2006	228	LETTER addressed to Judge Lewis A. Kaplan from Georgia Pestana dated 12/28/05 re: Counsel writes of behalf of defendants to respond to class counsels' letter dated 12/27/05. Document filed by The City of New York, New York City Police Department, Rudolph W. Giuliani, Patrick Kelleher, George Grasso, Patrick Bradley, Joseph Flynn, Richard Kubick, Charles V. Campisi, The Police Relief Fund, Inc.(jco,) (Entered: 01/05/2006)
01/05/2006	229	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Diane Paolicelli and Richard A. Levy dated 12/21/05 re: a request for guidance in obtaining information on individual class members. ENDORSEMENT: DENIED. The information shall not be disclosed in view of the City's 12/28/2005 response. (Signed by Judge Lewis A. Kaplan on 1/3/06) (kco,) (Entered: 01/06/2006)
01/27/2006		Minute Entry for proceedings held before Judge Lewis A. Kaplan : Pretrial Conference held on 1/27/2006. Court reporter Guido Tascione present. (jco,) (Entered: 09/22/2006)
01/31/2006	231	MEMORANDUM OPINION 92683 re: Defendants motion in limine 216 is granted to the extent that Mr. Faust's testimony as to command discipline in the 26th precinct is excluded and is denied in all other respects, albeit without prejudice to renewal as to the anecdotal witness issue as indicated. The parties are directed to submit, on or before 2/21/2006, either a joint proposal as to whether and to what extent they wish to joint or separate trials or, if they agree, their respective proposals. (Signed by Judge Lewis A. Kaplan on 1/31/2006) (lb,) Modified on 2/1/2006 (ns,). (Entered: 01/31/2006)
02/09/2006	232	LETTER addressed to Judge Lewis A. Kaplan from James K. Thomas dated 1/31/06; re: Mr. Thomas moves to set aside the decision of the Special Master.(sac,) (Entered: 02/10/2006)
03/09/2006	233	LETTER addressed to Judge Lewis A. Kaplan from James McKenney dated 2/17/06 re: Counsel writes to request that the court order the three cases consolidated for trial. Document filed by Ruben Malave.(jco,) (Entered: 03/09/2006)
03/09/2006	234	LETTER addressed to Judge Lewis A. Kaplan from James M. Lemonedes dated 2/22/06 re: Counsel write in accordance with your Honor's 1/31/06 Memo Order. (jco,) (Entered: 03/09/2006)
03/10/2006	235	ORDER: Accordingly, the cases will be tried separately (in alphabetical order by the surname of each plaintiff). Each trial will be bifurcated such that the Monell issue will be tried if and subsequent to a verdict otherwise favorable to a plaintiff. (Signed by Judge Lewis A. Kaplan on 3/7/06) (js,) (Entered: 03/13/2006)
03/15/2006	236	ENDORSED LETTER: addressed to Judge Lewis A. Kaplan from Kira Repetto-Cruz dated 3/10/2006. ENDORSEMENT: Counsel may file an appropriate motion. The Court will not act on the basis of a letter. So Ordered. (Signed by Judge Lewis A. Kaplan on 3/13/2006) (lb,) (Entered: 03/16/2006)
04/04/2006	237	ORDER: The claims of plaintiff Gomez in 99-cv-9568 are consolidated for trial with 05-cv-4811. Trial shall commence at 10:30 a.m. on 5/22/2006. (Signed by Judge Lewis A. Kaplan on 3/30/2006) (lb,) (Entered: 04/05/2006)

05/22/2006		Minute Entry for proceedings held before Judge Lewis A. Kaplan : Jury Trial begun on 5/22/2006. Jury selected. (djc,) (Entered: 06/07/2006)
05/23/2006		Minute Entry for proceedings held before Judge Lewis A. Kaplan : Jury Trial held on 5/23/2006. (djc,) (Entered: 06/07/2006)
05/24/2006		Minute Entry for proceedings held before Judge Lewis A. Kaplan : Jury Trial held on 5/24/2006. (djc,) (Entered: 06/07/2006)
05/25/2006		Minute Entry for proceedings held before Judge Lewis A. Kaplan : Jury Trial held on 5/25/2006. (djc,) (Entered: 06/07/2006)
05/30/2006		Minute Entry for proceedings held before Judge Lewis A. Kaplan : Jury Trial held on 5/30/2006. (djc,) (Entered: 06/07/2006)
06/02/2006		Minute Entry for proceedings held before Judge Lewis A. Kaplan : Jury Trial completed on 6/2/2006. Judge's decision: 6/2/06 Plaintiff's motion for a mistrial granted. 6/2/06 Defendant's motion for dismissal of plaintiff's claim for constructive discharge was granted; Jury Verdict: None (djc,) (Entered: 06/07/2006)
06/22/2006	238	TRANSCRIPT of proceedings held on 5/22,23,24,25,30,31/2006; 6/1,2/2006 before Judge Lewis A. Kaplan. (jar,) (Entered: 06/22/2006)
08/18/2006	239	MOTION to Set Aside the award of Special Master Kenneth R. Feinberg. MOTION to Remand his claims for further review either before Special Master Feinberg or before this Court. Attached Memo In Support of Petition of James K. Thomas. Filed by James K. Thomas (jar,) (Entered: 08/21/2006)
09/07/2006	240	ORDER re: 239 MOTION to Set Aside. MOTION to Remand. Counsel for the plaintiff class and the defendants shall respond to the petition on or before 9/27/06. So Ordered. (Signed by Judge Lewis A. Kaplan on 9/6/06) "Copies mailed by Chambers" (jco,) (Entered: 09/11/2006)
09/25/2006	241	ORDER: A status conference regarding the case of plaintiff Manuel Gomez is scheduled for October 5, 2006 at 10:15 a.m. If plaintiff Gomez has obtained new counsel, his attorney should attend the conference, otherwise he should appear pro-se. (Signed by Judge Lewis A. Kaplan on 9/21/06) (js,) (Entered: 09/26/2006)
09/25/2006		Set Deadlines/Hearings: Status Conference set for 10/5/2006 10:15 AM before Judge Lewis A. Kaplan. (js,) (Entered: 09/26/2006)
09/27/2006	242	ORDER in his letter response to the petition of class member James K. Thomas, counsel for the City asserts that all class members received notice of the settlement provision stating that "[a]ll decisions by the Special Master are final, binding and not appealable." It would be helpful if counsel would advise the Court of where and in what manner class members were so informed. So Ordered. (Signed by Judge Lewis A. Kaplan on 9/26/06) "Copies Mailed By Chambers"(jco,) (Entered: 09/28/2006)
10/04/2006	243	ORDER that the petition to set aside the award of the special master and to remand his claims for further review is denied. (Signed by Judge Lewis A. Kaplan on 10/3/06) (dle,) (Entered: 10/10/2006)
10/04/2006	244	LETTER addressed to Judge Lewis A. Kaplan from James Lemonedes dated 9/29/06 re: response to the court's order of 9/26/06. (dle,) (Entered: 10/12/2006)
10/04/2006	245	LETTER addressed to Judge Lewis A. Kaplan from James Lemonedes dated 9/21/06 re: response to the court's order of 9/6/06. (dle,) (Entered: 10/12/2006)
10/05/2006		Minute Entry for proceedings held before Judge Lewis A. Kaplan : Interim Pretrial Conference held on 10/5/2006. Court Reporter Jennifer Thun present. Trial Scheduled for 11/13/2006. (jar,) (Entered: 10/24/2006)
10/05/2006		Set/Reset Deadlines: Ready for Trial by 11/13/2006. (jar,) (Entered: 10/24/2006)
10/18/2006	246	TRANSCRIPT of proceedings held on 1/27/06 before Judge Lewis A. Kaplan. (tro,) (Entered: 10/18/2006)
10/30/2006	267	NOTICE OF APPEAL from 243 Order. Document filed by James K. Thomas. Filing fee \$ 455.00, receipt number E 605432. Copies sent to attorney(s) of record: Corporation Counsel. (tp) (Entered: 03/07/2007)
12/06/2006	247	MOTION for Contempt and to Compel Compliance with Settlement. Document filed by Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa, Latino Officers Association City of New York Incorporated, Hector Ariza, Manuel Gomez, Christopher Castro, Wilfred Maldonado, Haydee Cartagena, Manuel Delgado, Parnell Peterson, Hiram Monserrate, Fernando Sanchez, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory. (jmi,) (Entered: 12/07/2006)
12/06/2006	248	MEMORANDUM OF LAW in Support re: 247 MOTION to Compel.. Document filed by Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa, Latino Officers Association City of New York Incorporated, Hector Ariza, Manuel Gomez, Christopher Castro, Wilfred Maldonado, Haydee Cartagena, Manuel Delgado, Parnell Peterson, Hiram Monserrate, Fernando Sanchez, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory. (jmi,) (Entered: 12/07/2006)
12/06/2006	249	AFFIDAVIT of Charles Castro. Document filed by Charles Castro. (jmi,) (Entered: 12/07/2006)

12/06/2006	250	AFFIDAVIT of Richard Levy in Support re: <u>247</u> MOTION to Compel.. Document filed by Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa, Howard Safir, Latino Officers Association City of New York Incorporated, Charles V. Campisi, Hector Ariza, Manuel Gomez, Christopher Castro, Wilfred Maldonado, Haydee Cartagena, Manuel Delgado, Parnell Peterson, Hiram Monserrate, Fernando Sanchez, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega, Thaddeus Gamory. (jmi,) (Entered: 12/07/2006)
12/06/2006	251	AFFIDAVIT of Robert Gonzalez. Document filed by Latino Officers Association City of New York Incorporated. (jmi,) (Entered: 12/07/2006)
12/06/2006	252	AFFIDAVIT of Carlos Muentes. Document filed by Latino Officers Association City of New York Incorporated. (jmi,) (Entered: 12/07/2006)
12/06/2006	253	AFFIDAVIT of Christopher Castro. Document filed by Christopher Castro. (jmi,) (Entered: 12/07/2006)
12/06/2006	254	AFFIDAVIT of Fernando Sanchez. Document filed by Fernando Sanchez. (jmi,) (Entered: 12/07/2006)
12/06/2006	255	AFFIDAVIT of Richard Faust. Document filed by Latino Officers Association City of New York Incorporated. (jmi,) (Entered: 12/07/2006)
01/05/2007	256	STIPULATION AND ORDER defendants' time to submit opposition papers to plaintiff's motion for contempt and to compel compliance with Judgment and Order (the "motion") shall be extended to 2/9/07. Plaintiffs will reply to defendants' opposition on or before 3/9/07. The Court shall maintain jurisdiction over this case to hear and decide this motion, with the express understanding that during the pendency of the motion the defendants will not continue to provide monitoring reports except that defendants' final reports will be the cumulative and fourth quarter 2006 reports. So Ordered. (Signed by Judge Lewis A. Kaplan on 1/5/07) (jco,) (Entered: 01/08/2007)
01/05/2007		Set/Reset Deadlines as to <u>247</u> MOTION to Compel. Responses due by 2/9/2007 Replies due by 3/9/2007. (jco,) (Entered: 01/08/2007)
01/05/2007	257	STIPULATION TO CLARIFY SUBSTITUED PARTIES, TO ELIMINATE INDIVIDUAL LIABILITY OF NAMED DEFENDANTS, TO DROP DEFENDANTS FROM THE PRESENT ACTION, AND TO ORDER SUBSTITUTION So Ordered. (Signed by Judge Lewis A. Kaplan on 1/4/07) (jco,) (Entered: 01/09/2007)
02/02/2007	258	ORDER; a pretrial conference is scheduled for 2/2/2007 at 9:15 a.m. Plaintiff Manuel Gomez is required to attend. (Signed by Judge Lewis A. Kaplan on 2/1/07) (kco) (Entered: 02/05/2007)
02/02/2007	259	MEMO ENDORSEMENT on NOTICE OF MOTION FOR WITHDRAWAL OF COUNSEL; Granted. Jason Batson substituted as counsel for Gomez. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 2/1/07) (kco) (Entered: 02/05/2007)
02/02/2007		Minute Entry for proceedings held before Judge Lewis A. Kaplan : Interim Pretrial Conference held on 2/2/2007. Judge's Decision: The 2/2/07 trial date is adjourned sine die. Attorney James Batson is substituted for Jason Solotoroff. (ae) (Entered: 02/06/2007)
02/02/2007		Minute Entry for proceedings held before Judge Lewis A. Kaplan : Interim Pretrial Conference held on 2/2/2007. Trial scheduled for 2/6/07 at 9:30 a.m. (ae) (Entered: 02/08/2007)
02/05/2007		Minute Entry for proceedings held before Judge Lewis A. Kaplan : Interim Pretrial Conference concerning the 2/5/07 trial of plaintiff Malave's claims held on 2/5/2007. Court Reporter: Linda Fisher present. (ae) (Entered: 02/16/2007)
02/06/2007		Minute Entry for proceedings held before Judge Lewis A. Kaplan : Jury Trial begun on 2/6/2007. (jp) (Entered: 02/16/2007)
02/06/2007		Minute Entry for proceedings held before Judge Lewis A. Kaplan : Jury Trial completed on 2/6/2007. This trial only related to pltff Rubin Molave's claims, it does not close the case. (jp) (Entered: 02/16/2007)
02/09/2007	260	ORDER; that this action insofar as it is brought by Ruben Malave shall be and hereby is discontinue with prejudice and without costs to either side. (Signed by Judge Lewis A. Kaplan on 2/6/07) (pl) Modified on 2/27/2007 (Lancaster, Patricia). (Entered: 02/15/2007)
02/09/2007	261	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from James M. Lemonedes dated 2/7/07 re:pltff's requests a brief extension to submit their opposition papers to the motion for contempt to 2/23/07, and Plaintiffs' reply papers will be submitted on 3/23/07. (Signed by Judge Lewis A. Kaplan on 2/9/07) (pl) (Entered: 02/16/2007)
02/09/2007	262	AFFIDAVIT of Alan Sash in Support of Pltffs' Motion for Contempt. Document filed by Michael Padilla, Ruben Malave, Latino Officers Association City of New York Incorporated, Hector Ariza, Manuel Gomez, Christopher Castro, Wilfred Maldonado, Parnell Peterson, Fernando Sanchez, Anthony Miranda, Clifford Muniz, Adam Alvarez, Charles Castro. (sn) (Entered: 02/16/2007)
02/09/2007	263	SUPPLEMENTAL AFFIDAVIT of Carlos Muentes to update the Court regarding allegations made in original affidavit dated 11/27/06. Document filed by Michael Padilla, Ruben Malave, Latino Officers Association City of New York Incorporated, Hector Ariza, Manuel Gomez, Christopher Castro, Wilfred Maldonado, Parnell Peterson, Fernando Sanchez, Anthony Miranda, Clifford Muniz, Adam Alvarez, Charles Castro. (sn) (Entered: 02/16/2007)

02/28/2007		Minute Entry for proceedings held before Judge Lewis A. Kaplan : Settlement Conference held on 2/28/2007. The settlement between plt Wilfred maldonado and The City does not close the case. It only resolves plt Maldonado's Claims. (jar) (Entered: 03/05/2007)
03/01/2007	264	TRANSCRIPT of proceedings held on 11/4/2006 at 10:00 a.m. before Judge Lewis A. Kaplan. (aba) (Entered: 03/01/2007)
03/01/2007	265	TRANSCRIPT of proceedings held on 2/2/2007 at 9:32 a.m. before Judge Lewis A. Kaplan. (aba) (Entered: 03/01/2007)
03/02/2007	266	STIPULATION AND ORDER that this action is dismissed, with prejudice and without costs, expenses or fees in excess of the amount specified herein; The City of New York agrees to pay plaintiff the sum of sixty seven thousand, five hundred dollars in a check made payable to Dreier, LLP in full satisfaction of all claims; in consideration for the payment of this sum plaintiff agrees to the dismissal of all the claims against the individually named dfts and to release all dfts from any and all liability, claims or rights of action arising from and contained in the complaint. (Signed by Judge Lewis A. Kaplan on 2/28/07) (dle) (Entered: 03/07/2007)
03/07/2007		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 267 Notice of Appeal. (tp) (Entered: 03/07/2007)
03/07/2007		Transmission of Notice of Appeal to the District Judge re: 267 Notice of Appeal. (tp) (Entered: 03/07/2007)
03/07/2007		Minute Entry for proceedings held before Judge Lewis A. Kaplan : Telephone Conference held on 3/7/2007. A settlement conference with plt Peterson will be held on 3/15/2007 at 4:30pm. (jar) (Entered: 03/12/2007)
03/07/2007		Set/Reset Hearings: Settlement Conference set for 3/15/2007 04:30 PM before Judge Lewis A. Kaplan. (jar) (Entered: 03/12/2007)
03/08/2007	268	Appeal Record Sent to USCA (Index). Notice that the Original index to the record on Appeal for 267 Notice of Appeal filed by James K. Thomas 3 Copies of the index, Certified Clerk Certificate and Certified Docket Sheet were transmitted to the U.S. Court of Appeals. (tp) Additional attachment(s) added on 3/13/2007 (Pisarczyk, Thomas). (Entered: 03/09/2007)
03/09/2007		Appeal Record Sent to USCA (File). Indexed record on Appeal Files for 267 Notice of Appeal filed by James K. Thomas were transmitted to the U.S. Court of Appeals. (tp) (Entered: 03/09/2007)
03/14/2007		USCA Case Number 07-0941-cv from the U.S. Court of Appeal, 2nd Cir. assigned to 267 Notice of Appeal filed by James K. Thomas. (nd) (Entered: 03/14/2007)
03/16/2007	272	STIPULATION AND ORDER OF DISMISSAL that the above entitled action, in so far as it is brought by plaintiff Peter... be and hereby is without prejudice and without costs to either side. This is without prejudice to claims by the... plaintiff. (Signed by Judge Lewis A. Kaplan on 3/15/2007) (jmi) (Entered: 03/20/2007)
03/19/2007	271	TRANSCRIPT of proceedings held on 2/6/2007 before Judge Lewis A. Kaplan. (mbe) (Entered: 03/19/2007)
03/30/2007	273	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from William S.J. Fraenkel dated 3/26/07 re: Defendants request that they be permitted to submit opposition to plaintiffs' motion by or before April 30, 2007 and that plaintiffs be allowed to reply by or before June 22, 2007. ENDORSEMENT: GRANTED. (Signed by Judge Lewis A. Kaplan on 3/27/07) (js) (Entered: 04/02/2007)
03/30/2007		Set Deadlines/Hearings: Replies due by 6/22/2007., Responses due by 4/30/2007 (js) (Entered: 04/02/2007)
04/24/2007	274	TRANSCRIPT of proceedings held on 3/15/2007 before Judge Lewis A. Kaplan. (jmi) (Entered: 04/24/2007)
05/08/2007	275	MEMORANDUM OF LAW in Opposition to 247 MOTION for Contempt. Document filed by The City of New York, The New York City Police Department, Michael R. Bloomberg, Raymond W. Kelly. (jpo) (Entered: 05/09/2007)
05/08/2007	276	DECLARATION of Catherine McCann. Document filed by New York City Police Department. (jpo) (Entered: 05/09/2007)
05/08/2007	277	DECLARATION of Georgia Pestana in opposition to 247 MOTION for Contempt. Document filed by The City of New York, The New York City Police Department, Michael R. Bloomberg. (jpo) (Entered: 05/09/2007)
05/08/2007	278	DECLARATION of Marie G. Ryan in opposition to 247 MOTION for Contempt. Document filed by The City of New York, The New York City Police Department, Michael R. Bloomberg, Raymond W. Kelly. (jpo) (Entered: 05/09/2007)
05/08/2007	279	DECLARATION of Julie Schwartz in Opposition to 247 MOTION for Contempt. Document filed by The City of New York, The New York City Police Department, Michael R. Bloomberg, Raymond W. Kelly. (jpo) (Entered: 05/09/2007)
05/08/2007	280	DECLARATION of Lt. Lester Tuthill in Opposition to 247 MOTION for Contempt. Document filed by The City of New York, The New York City Police Department, Michael R. Bloomberg, Raymond W. Kelly. (jpo) (Entered: 05/09/2007)
05/08/2007	281	DECLARATION of Donna Jones. Document filed by The City of New York, The New York City Police Department, Michael R. Bloomberg, Raymond W. Kelly. (jpo) (Entered: 05/09/2007)

05/08/2007	(282)	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from James M. Lemonedes dated 4/27/07 re: Request a modification of the briefing schedule and ask that defendants be allowed to submit their opposition to plaintiffs motion by Monday May 7, 2007, and that plaintiffs be allowed to reply by or before June 29, 2007, and I will consent to any additional time they may require. ENDORSEMENT: GRANTED. So Ordered. (Signed by Judge Lewis A. Kaplan on 4/30/07) (js) (Entered: 05/09/2007)
05/17/2007	(283)	AMENDED DECLARATION of Donna Jones. Document filed by The City of New York, The New York City Police Department. (djc) (Entered: 05/18/2007)
06/06/2007	(284)	ORDER; that the re-trial of this case shall begin on Tuesday, 6/19/07 @9:30 a.m. (Signed by Judge Lewis A. Kaplan on 6/5/07) (pl) (Entered: 06/07/2007)
06/06/2007		Set/Reset Scheduling Order Deadlines: Jury Trial set for 6/19/2007 at 09:30 AM before Judge Lewis A. Kaplan. (pl) (Entered: 06/07/2007)
06/21/2007	(285)	ORDER. This case was settled on a class action basis. Four class members opted out. The claims of the fourth, Manuel Gomez, were tried in May 2005 together with a subsequent action brought by Gomez. The trial resulted in a directed verdict for the defendants on one issue and a hung jury on the balance. Gomez's case was called for a retrial on June 19, 2007. At the commencement of the trial, counsel agreed that the directed verdict in the prior trial resolved all of Gomez's claims that were included in the class action. In consequence, the only remaining claims now on trial are those made in his subsequent action. Accordingly, all claims brought by all parties in this action now have been resolved. The Clerk shall enter final judgment and close this case. This is without prejudice to Gomez's subsequent action. It is ordered that counsel to whom this order is sent is responsible for faxing a copy to all counsel and retaining verification of such in this case file. Do not fax such verification to chambers. (Signed by Judge Lewis A. Kaplan on 6/20/2007) Copies Mailed By Chambers.(jpo) (Entered: 06/26/2007)
06/21/2007		Transmission to Judgments and Orders Clerk. Transmitted re: 285 Order, to the Judgments and Orders Clerk. (jpo) (Entered: 06/26/2007)
06/26/2007	(286)	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Richard Levy dated 6/19/07 re: counsel for plaintiffs request that plaintiffs' reply papers to their motion for contempt be due on 7/31/07. ENDORSEMENT: Granted. (Signed by Judge Lewis A. Kaplan on 6/21/07) Replies due by 7/31/2007. (dle) (Entered: 06/27/2007)
07/05/2007	(287)	CLERK'S JUDGMENT That for the reasons stated in the Court's Order dated June 20, 2007, Final judgment is entered for defendants in this action without prejudice to Gomezs subsequent action; accordingly, this case is closed. (Signed by J. Michael McMahon, clerk on 7/5/07) (ml) (Entered: 07/05/2007)
07/06/2007	(288)	Stipulation and Order of Settlement and Partial Discontinuance: this action is dismissed, with prejudice, and without costs, expenses, or fees in excess of the amount specified herein; the City of New York agrees to pay plaintiff the sum of \$85,000.00 in a check made payable to Barry Lax, esq. as attorneys for Parnell Peterson in full satisfaction of all claims that were or could have been raised in this action, including claims for costs, expenses and attorney's fees; in consideration for the payment of this sum, plaintiff agrees to the dismissal of all the claims against the individually named dfts and to release all dfts, any present or former employees or agents of the City of New York and the City of New York from any and all liability, claims or rights of action from and contained in the complaint in this action, including claims for costs, expenses and attorney's fees. (Signed by Judge Lewis A. Kaplan on 7/3/07) (dle) (Entered: 07/10/2007)
07/06/2007	(289)	Stipulation and Order of Settlement and Partial Discontinuance: this action is dismissed, with prejudice, and without costs, expenses, or fees in excess of the amount specified herein; the City of New York agrees to pay plaintiff the sum of \$60,000.00 in a check made payable to Mintz & Gold, LLP as attorneys for Ruben Malave in full satisfaction of all claims that were or could have been raised in this action, including claims for costs, expenses and attorney's fees; in consideration for the payment of this sum, plaintiff agrees to the dismissal of all the claims against the individually named dfts and to release all dfts, any present or former employees or agents of the City of New York, and the City of New York from any and all liability claims, or rights of action arising from and contained in the complaint in this action, including claims for costs, expenses and attorney's fees; plaintiff shall execute and deliver to City dfts' attorney all documents necessary to effect this settlement, including without limitation, a general release and an "Affidavit of Liens"; plaintiff's attorney shall execute a form W-9. (Signed by Judge Lewis A. Kaplan on 7/3/07) (dle) (Entered: 07/10/2007)
07/06/2007		Mailed notice of Right to Appeal re: 287 Clerk's Judgment, to Attorney(s) of Record: Joshua H. Epstein, William Goodman, Barry Lax, James M. Lemonedes, Richard Alan Levy, Laurie J. McPherson, Steven Glen Mintz, Julie E. O'Neill, Barbara J. Olshansky, Diane M. Paolicelli, Philip S. Raible, Roland Gustaf Riopelle, Robert H. Spiegel. (tve) (Entered: 09/26/2007)
07/18/2007	(290)	ENDORSED LETTER addressed to Judge Lewis A. Kaplan from Richard Levy dated 7/12/2007 re: Plaintiff request to file a reply memorandum of law in this case, which is due on July 31, 2007, of twenty-five (25) pages in length, which exceeds the 10 page limit for reply memoranda established by your Individual Practices. ENDORSEMENT: Granted. SO ORDERED. (Signed by Judge Lewis A. Kaplan on 7/17/2007) (jmi) (Entered: 07/20/2007)
07/31/2007	(291)	REBUTTAL AFFIDAVIT of Carlos Muentes in Support re: 247 MOTION to Compel. Document filed by Michael Padilla, Ruben Malave, Latino Officers Association City of New York Incorporated, Hector Ariza, Manuel Gomez, Christopher Castro, Parnell Peterson, Fernando Sanchez, Anthony Miranda, Clifford Muniz, Adam Alvarez, Charles Castro. (pl) (Entered: 08/02/2007)

07/31/2007	292	REPLY MEMORANDUM OF LAW in Support re: 247 MOTION to Compel. Document filed by Michael Padilla, Ruben Malave, Latino Officers Association City of New York Incorporated, Hector Ariza, Manuel Gomez, Christopher Castro, Parnell Peterson, Fernando Sanchez, Anthony Miranda, Clifford Muniz, Adam Alvarez, Charles Castro. (pl) (Entered: 08/02/2007)
07/31/2007	293	REPLY AFFIDAVIT OF Richard Faust. Document filed by Michael Padilla, Ruben Malave, Latino Officers Association City of New York Incorporated, Hector Ariza, Manuel Gomez, Christopher Castro, Parnell Peterson, Fernando Sanchez, Anthony Miranda, Clifford Muniz, Adam Alvarez, Charles Castro. (pl) (Entered: 08/02/2007)
10/26/2007	294	MEMORANDUM OPINION:# 95369 for the foregoing reasons, plaintiffs' motion for contempt and to compel compliance with the settlement and order [docket item 247] is denied. Because there are no grounds on which to hold defendants in contempt, the Court denies all of plaintiffs requests for relief. (Signed by Judge Lewis A. Kaplan on 10/26/07) (kco) Copies Mailed by Chambers. Modified on 10/30/2007 (Horne, Jenny). (Entered: 10/29/2007)
11/21/2007	295	NOTICE OF APPEAL from 294 Memorandum & Opinion,. Document filed by Michael Padilla, Carlos Jimenez, Jose Mercedes, Ruben Malave, Hilda Susu, Daniel Figueroa, Latino Officers Association City of New York Incorporated, Hector Ariza, Manuel Gomez, Christopher Castro, Wilfred Maldonado, Haydee Cartagena, Manuel Delgado, Parnell Peterson, Hiram Monserrate, Fernando Sanchez, Anthony Miranda, Manuel Nunez, Clifford Muniz, Adam Alvarez, Charles Castro, Louis Vega. Thaddeus Gamory. Filing fee \$ 455.00, receipt number E 634172. Copies of Notice of Appeal mailed attorney(s) of record: Corporation Counsel of the City of New York. (nd) (Entered: 11/21/2007)
11/21/2007		Transmission of Notice of Appeal to the District Judge re: 295 Notice of Appeal,, (nd) (Entered: 11/21/2007)
11/21/2007		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 295 Notice of Appeal,, (nd) (Entered: 11/21/2007)